

House Study Bill 253

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET
BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the department of
2 human services, the department of elder affairs, the
3 department of public health, the department of veterans
4 affairs and the Iowa veterans home, the state board of
5 regents, the department of inspections and appeals, and
6 including other related provisions and appropriations, and
7 including effective date provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
9 TLSB 1117XG 82
10 pf/gg/14

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1 1 DIVISION I
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS
1 3 ELDER AFFAIRS
1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 5 appropriated from the general fund of the state to the
1 6 department of elder affairs for the fiscal year beginning July
1 7 1, 2007, and ending June 30, 2008, the following amount, or so
1 8 much thereof as is necessary, to be used for the purposes
1 9 designated:
1 10 For aging programs for the department of elder affairs and
1 11 area agencies on aging to provide citizens of Iowa who are 60
1 12 years of age and older with case management for the frail
1 13 elderly, resident advocate committee coordination, employment,
1 14 and other services which may include but are not limited to
1 15 adult day services, respite care, chore services, telephone
1 16 reassurance, information and assistance, and home repair
1 17 services, and for the construction of entrance ramps which
1 18 make residences accessible to the physically handicapped, and
1 19 for salaries, support, administration, maintenance, and
1 20 miscellaneous purposes:
1 21 \$ 4,648,306
1 22 1. Funds appropriated in this section may be used to
1 23 supplement federal funds under federal regulations. To
1 24 receive funds appropriated in this section, a local area
1 25 agency on aging shall match the funds with moneys from other
1 26 sources according to rules adopted by the department. Funds
1 27 appropriated in this section may be used for elderly services
1 28 not specifically enumerated in this section only if approved
1 29 by an area agency on aging for provision of the service within
1 30 the area.
1 31 2. Of the funds appropriated in this section, \$2,788,223
1 32 shall be used for case management for the frail elderly. Of
1 33 the funds allocated in this subsection, \$1,385,015 shall be
1 34 transferred to the department of human services in equal
1 35 amounts on a quarterly basis for reimbursement of case
2 1 management services provided under the medical assistance
2 2 elderly waiver. The department of human services shall adopt
2 3 rules for case management services provided under the medical
2 4 assistance elderly waiver in consultation with the department
2 5 of elder affairs. Notwithstanding any provision to the
2 6 contrary, any savings realized in case management for the
2 7 frail elderly that is not provided under the medical
2 8 assistance elderly waiver shall be used for services for the
2 9 frail elderly which may include substitute decision-making
2 10 services pursuant to chapter 231E.
2 11 3. Of the funds appropriated in this section, \$200,198
2 12 shall be transferred to the department of economic development
2 13 for the Iowa commission on volunteer services to be used for
2 14 the retired and senior volunteer program.

2 15 HEALTH

2 16 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is

2 17 appropriated from the general fund of the state to the

2 18 department of public health for the fiscal year beginning July

2 19 1, 2007, and ending June 30, 2008, the following amounts, or

2 20 so much thereof as is necessary, to be used for the purposes

2 21 designated:

2 22 1. ADDICTIVE DISORDERS

2 23 For reducing the prevalence of use of tobacco, alcohol, and

2 24 other drugs, and treating individuals affected by addictive

2 25 behaviors, including gambling:

2 26 \$ 4,586,890

2 27 The requirement of section 123.53, subsection 3, is met by

2 28 the appropriation made in this subsection for the fiscal year

2 29 beginning July 1, 2007.

2 30 2. HEALTHY CHILDREN AND FAMILIES

2 31 For promoting the optimum health status for children,

2 32 adolescents from birth through 21 years of age, and families:

2 33 \$ 2,369,438

2 34 Of the funds appropriated in this subsection, not more than

2 35 \$645,917 shall be used for the healthy opportunities to

3 1 experience success (HOPES)=healthy families Iowa (HFI) program

3 2 established pursuant to section 135.106. The department shall

3 3 transfer the funding allocated for the HOPES=HFI program to

3 4 the Iowa empowerment board for distribution and shall assist

3 5 the board in managing the contracting for the funding. The

3 6 funding shall be distributed to renew the grants that were

3 7 provided to the grantees that operated the program during the

3 8 fiscal year ending June 30, 2007.

3 9 3. CHRONIC CONDITIONS

3 10 For serving individuals identified as having chronic

3 11 conditions or special health care needs:

3 12 \$ 2,342,840

3 13 4. COMMUNITY CAPACITY

3 14 For strengthening the health care delivery system at the

3 15 local level:

3 16 \$ 2,858,147

3 17 a. Of the funds appropriated in this subsection, \$100,000

3 18 is allocated for a child vision screening program implemented

3 19 through the university of Iowa hospitals and clinics in

3 20 collaboration with community empowerment areas.

3 21 b. Of the funds appropriated in this subsection, \$159,700

3 22 is allocated for an initiative implemented at the university

3 23 of Iowa and \$140,300 is allocated for an initiative at the

3 24 state mental health institute at Cherokee to expand and

3 25 improve the workforce engaged in mental health treatment and

3 26 services. The initiatives shall receive input from the

3 27 university of Iowa, the department of human services, the

3 28 department of public health and the mental health, mental

3 29 retardation, developmental disabilities, and brain injury

3 30 commission to address the focus of the initiatives. The

3 31 department of human services, the department of public health,

3 32 and the commission shall receive regular updates concerning

3 33 the status of the initiatives.

3 34 c. Of the funds appropriated in this subsection, \$450,000

3 35 is allocated to continue the contract for the program to

4 1 develop an Iowa collaborative safety net provider network.

4 2 d. Of the funds appropriated in this subsection, \$650,000

4 3 is allocated for continuation of the incubation grant program

4 4 to community health centers that receive a total score of 85

4 5 based on the evaluation criteria of the health resources and

4 6 services administration of the United States department of

4 7 health and human services.

4 8 e. The university of Iowa hospitals and clinics under the

4 9 control of the state board of regents shall not receive

4 10 indirect costs from the funds allocated in paragraphs "c" and

4 11 "d".

4 12 5. ELDERLY WELLNESS

4 13 For promotion of healthy aging and optimization of the

4 14 health of older adults:

4 15 \$ 9,233,985

4 16 6. ENVIRONMENTAL HAZARDS

4 17 For reducing the public's exposure to hazards in the

4 18 environment, primarily chemical hazards:

4 19 \$ 626,960

4 20 7. INFECTIOUS DISEASES

4 21 For reducing the incidence and prevalence of communicable

4 22 diseases:

4 23 \$ 1,568,463

4 24 8. PUBLIC PROTECTION

4 25 For protecting the health and safety of the public through

4 26 establishing standards and enforcing regulations:
4 27 \$ 2,519,331
4 28 Of the funds appropriated in this subsection, \$643,500
4 29 shall be credited to the emergency medical services fund
4 30 created in section 135.25. Moneys in the emergency medical
4 31 services fund are appropriated to the department to be used
4 32 for the purposes of the fund.
4 33 9. RESOURCE MANAGEMENT
4 34 For establishing and sustaining the overall ability of the
4 35 department to deliver services to the public:
5 1 \$ 1,195,557
5 2 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION. In lieu
5 3 of the appropriation made in section 135.150, subsection 1,
5 4 there is appropriated from funds available in the gambling
5 5 treatment fund created in section 135.150 to the department of
5 6 public health for the fiscal year beginning July 1, 2007, and
5 7 ending June 30, 2008, the following amount, or so much thereof
5 8 as is necessary, to be used for the purposes designated:
5 9 1. ADDICTIVE DISORDERS
5 10 To be utilized for the benefit of persons with addictions:
5 11 \$ 1,690,000
5 12 It is the intent of the general assembly that from the
5 13 moneys appropriated in this subsection, persons with a dual
5 14 diagnosis of substance abuse and gambling addictions shall be
5 15 given priority in treatment services.
5 16 2. GAMBLING TREATMENT PROGRAM
5 17 The amount remaining in the gambling treatment fund after
5 18 the appropriation made in subsection 1 is appropriated to the
5 19 department to be used for funding of administrative costs and
5 20 to provide programs which may include but are not limited to
5 21 outpatient and follow-up treatment for persons affected by
5 22 problem gambling, rehabilitation and residential treatment
5 23 programs, information and referral services, education and
5 24 preventive services, and financial management services. Of
5 25 the amount appropriated in this subsection, up to \$100,000 may
5 26 be used for the licensing of gambling treatment programs as
5 27 provided in section 135.150.
5 28 DEPARTMENT OF VETERANS AFFAIRS
5 29 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
5 30 appropriated from the general fund of the state to the
5 31 department of veterans affairs for the fiscal year beginning
5 32 July 1, 2007, and ending June 30, 2008, the following amounts,
5 33 or so much thereof as is necessary, to be used for the
5 34 purposes designated:
5 35 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
6 1 For salaries, support, maintenance, and miscellaneous
6 2 purposes, including the war orphans educational assistance
6 3 fund established pursuant to section 35.8:
6 4 \$ 813,457
6 5 2. IOWA VETERANS HOME
6 6 For salaries, support, maintenance, and miscellaneous
6 7 purposes:
6 8 \$ 15,030,248
6 9 3. VETERANS TRUST FUND
6 10 To be credited to the veterans trust fund created in
6 11 section 35A.13:
6 12 \$ 4,500,000
6 13 4. COUNTY GRANT PROGRAM FOR VETERANS
6 14 For providing matching grants to counties to provide
6 15 improved services to veterans:
6 16 \$ 1,000,000
6 17 The department shall establish or continue a grant
6 18 application process and shall require each county applying for
6 19 a grant to submit a plan for utilizing the grant to improve
6 20 services for veterans. The maximum matching grant to be
6 21 awarded to a county shall be \$10,000 and the amount awarded
6 22 shall be matched on a dollar-for-dollar basis by the county.
6 23 Each county receiving a grant shall submit a report to the
6 24 department identifying the impact of the grant on increasing
6 25 services to veterans as specified by the department. The
6 26 department shall submit a report to the general assembly by
6 27 October 1, 2008, concerning the impact of the grant program on
6 28 increasing services to veterans.
6 29 5. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED
6 30 VETERANS
6 31 For educational assistance pursuant to section 35.9:
6 32 \$ 27,000
6 33 Sec. 5. VETERANS TRUST FUND. Notwithstanding section
6 34 35A.13, there is appropriated from the veterans trust fund
6 35 established in 35A.13 to the department of veterans affairs
7 1 for the fiscal year beginning July 1, 2007, and ending June

7 2 30, 2008, the following amount, or so much thereof as is
7 3 necessary, for the purpose designated:

7 4 1. ENDURING FREEDOM PROGRAM
7 5 To provide funds to assist the federal enduring freedom
7 6 program in providing support to military personnel returning
7 7 from Iraq or Afghanistan to Iowa:
7 8 \$ 2,000,000

7 9 2. HOME OWNERSHIP ASSISTANCE PROGRAM
7 10 For transfer to the Iowa finance authority to be used for
7 11 continuation of the home ownership assistance program for
7 12 persons who are or were eligible members of the armed forces
7 13 of the United States, implemented pursuant to 2003 Iowa Acts,
7 14 chapter 179, section 21, subsection 5, as amended by 2004 Iowa
7 15 Acts, chapter 1175, section 274, as enacted by 2005 Iowa Acts,
7 16 chapter 161, section 1, and amended by 2005 Iowa Acts, chapter
7 17 115, section 37, as amended by 2006 Iowa Acts, chapter 1167,
7 18 section 4:
7 19 \$ 2,000,000

7 20 Of the funds appropriated in this subsection, the Iowa
7 21 finance authority may retain not more than \$20,000 for
7 22 administrative purposes.

7 23 HUMAN SERVICES

7 24 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
7 25 GRANT. There is appropriated from the fund created in section
7 26 8.41 to the department of human services for the fiscal year
7 27 beginning July 1, 2007, and ending June 30, 2008, from moneys
7 28 received under the federal temporary assistance for needy
7 29 families (TANF) block grant pursuant to the federal Personal
7 30 Responsibility and Work Opportunity Reconciliation Act of
7 31 1996, Pub. L. No. 104-193, and successor legislation, which
7 32 are federally appropriated for the federal fiscal years
7 33 beginning October 1, 2006, and ending September 30, 2007, and
7 34 beginning October 1, 2007, and ending September 30, 2008, the
7 35 following amounts, or so much thereof as is necessary, to be
8 1 used for the purposes designated:

8 2 1. To be credited to the family investment program account
8 3 and used for assistance under the family investment program
8 4 under chapter 239B:
8 5 \$ 34,890,944

8 6 2. To be credited to the family investment program account
8 7 and used for the job opportunities and basic skills (JOBS)
8 8 program, and implementing family investment agreements, in
8 9 accordance with chapter 239B:
8 10 \$ 14,993,040

8 11 3. To be used for the family development and
8 12 self-sufficiency grant program as provided under section
8 13 217.12 and this division of this Act:
8 14 \$ 2,848,675

8 15 4. For field operations:
8 16 \$ 17,707,495

8 17 5. For general administration:
8 18 \$ 3,744,000

8 19 6. For local administrative costs:
8 20 \$ 2,189,830

8 21 7. For state child care assistance:
8 22 \$ 18,986,177

8 23 a. Of the funds appropriated in this subsection, \$200,000
8 24 shall be used for provision of educational opportunities to
8 25 registered child care home providers in order to improve
8 26 services and programs offered by this category of providers
8 27 and to increase the number of providers. The department may
8 28 contract with institutions of higher education or child care
8 29 resource and referral centers to provide the educational
8 30 opportunities. Allowable administrative costs under the
8 31 contracts shall not exceed 5 percent. The application for a
8 32 grant shall not exceed two pages in length.

8 33 b. The funds appropriated in this subsection shall be
8 34 transferred to the child care and development block grant
8 35 appropriation.

9 1 8. For mental health and developmental disabilities
9 2 community services:
9 3 \$ 4,894,052

9 4 9. For child and family services:
9 5 \$ 32,084,430

9 6 10. For child abuse prevention grants:
9 7 \$ 250,000

9 8 11. For pregnancy prevention grants on the condition that
9 9 family planning services are funded:
9 10 \$ 1,930,067

9 11 Pregnancy prevention grants shall be awarded to programs in
9 12 existence on or before July 1, 2007, if the programs are

9 13 comprehensive in scope and have demonstrated positive
 9 14 outcomes. Grants shall be awarded to pregnancy prevention
 9 15 programs which are developed after July 1, 2007, if the
 9 16 programs are comprehensive in scope and are based on existing
 9 17 models that have demonstrated positive outcomes. Grants shall
 9 18 comply with the requirements provided in 1997 Iowa Acts,
 9 19 chapter 208, section 14, subsections 1 and 2, including the
 9 20 requirement that grant programs must emphasize sexual
 9 21 abstinence. Priority in the awarding of grants shall be given
 9 22 to programs that serve areas of the state which demonstrate
 9 23 the highest percentage of unplanned pregnancies of females of
 9 24 childbearing age within the geographic area to be served by
 9 25 the grant.

9 26 12. For technology needs and other resources necessary to
 9 27 meet federal welfare reform reporting, tracking, and case
 9 28 management requirements:
 9 29 \$ 1,037,186

9 30 13. For the healthy opportunities for parents to
 9 31 experience success (HOPES) program administered by the
 9 32 department of public health to target child abuse prevention:
 9 33 \$ 200,000

9 34 14. To be credited to the state child care assistance
 9 35 appropriation made in this section to be used for funding of
 10 1 community-based early childhood programs targeted to children
 10 2 from birth through five years of age, developed by community
 10 3 empowerment areas as provided in section 28.9:
 10 4 \$ 7,350,000

10 5 The department shall transfer TANF block grant funding
 10 6 appropriated and allocated in this subsection to the child
 10 7 care and development block grant appropriation in accordance
 10 8 with federal law as necessary to comply with the provisions of
 10 9 this subsection.

10 10 15. For a pilot program to be established in one or more
 10 11 judicial districts, selected by the department and the
 10 12 judicial council, to provide employment and support services
 10 13 to delinquent child support obligors as an alternative to
 10 14 commitment to jail as punishment for contempt of court:
 10 15 \$ 200,000

10 16 Of the amounts appropriated in this section, \$12,962,008
 10 17 for the fiscal year beginning July 1, 2007, shall be
 10 18 transferred to the appropriation of the federal social
 10 19 services block grant for that fiscal year. If the federal
 10 20 government revises requirements to reduce the amount that may
 10 21 be transferred to the federal social services block grant, it
 10 22 is the intent of the general assembly to act expeditiously
 10 23 during the 2008 legislative session to adjust appropriations
 10 24 or the transfer amount or take other actions to address the
 10 25 reduced amount.

10 26 The department may transfer funds allocated in this section
 10 27 to the appropriations in this Act for general administration
 10 28 and field operations for resources necessary to implement and
 10 29 operate the services referred to in this section and those
 10 30 funded in the appropriation made in this division of this Act
 10 31 for the family investment program from the general fund.

10 32 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

10 33 1. Moneys credited to the family investment program (FIP)
 10 34 account for the fiscal year beginning July 1, 2007, and ending
 10 35 June 30, 2008, shall be used to provide assistance in
 11 1 accordance with chapter 239B.

11 2 2. The department may use a portion of the moneys credited
 11 3 to the FIP account under this section as necessary for
 11 4 salaries, support, maintenance, and miscellaneous purposes.

11 5 3. The department may transfer funds allocated in this
 11 6 section to the appropriations in this Act for general
 11 7 administration and field operations for resources necessary to
 11 8 implement and operate the services referred to in this section
 11 9 and those funded in the appropriation made in this division of
 11 10 this Act for the family investment program from the general
 11 11 fund of the state.

11 12 4. Moneys appropriated in this division of this Act and
 11 13 credited to the FIP account for the fiscal year beginning July
 11 14 1, 2007, and ending June 30, 2008, are allocated as follows:

11 15 a. For the family development and self-sufficiency grant
 11 16 program as provided under section 217.12:
 11 17 \$ 5,433,042

11 18 (1) Of the funds allocated for the family development and
 11 19 self-sufficiency grant program in this lettered paragraph, not
 11 20 more than 5 percent of the funds shall be used for the
 11 21 administration of the grant program.

11 22 (2) The department may continue to implement the family
 11 23 development and self-sufficiency grant program statewide

11 24 during FY 2007=2008.
11 25 b. For the diversion subaccount of the FIP account:
11 26 \$ 2,814,000
11 27 (1) A portion of the moneys allocated for the subaccount
11 28 may be used for field operations salaries, data management
11 29 system development, and implementation costs and support
11 30 deemed necessary by the director of human services in order to
11 31 administer the FIP diversion program.
11 32 (2) Of the funds allocated in this lettered paragraph, not
11 33 more than \$250,000 shall be used to develop or continue
11 34 community-level parental obligation pilot projects. The
11 35 requirements established under 2001 Iowa Acts, chapter 191,
12 1 section 3, subsection 5, paragraph "c", subparagraph (3),
12 2 shall remain applicable to the parental obligation pilot
12 3 projects for fiscal year 2007=2008. Notwithstanding 441 IAC
12 4 100.8, providing for termination of rules relating to the
12 5 pilot projects the earlier of October 1, 2006, or when
12 6 legislative authority is discontinued, the rules relating to
12 7 the pilot projects shall remain in effect until June 30, 2008.
12 8 c. For the food stamp employment and training program:
12 9 \$ 68,059
12 10 d. For the JOBS program:
12 11 \$ 23,968,628
12 12 5. Of the child support collections assigned under FIP, an
12 13 amount equal to the federal share of support collections shall
12 14 be credited to the child support recovery appropriation. Of
12 15 the remainder of the assigned child support collections
12 16 received by the child support recovery unit, a portion shall
12 17 be credited to the FIP account and a portion may be used to
12 18 increase recoveries. If child support collections assigned
12 19 under FIP are greater than estimated, the state share of that
12 20 greater portion may be transferred to the child support
12 21 payments account.
12 22 6. The department may adopt emergency rules for the family
12 23 investment, JOBS, family development and self-sufficiency
12 24 grant, food stamp, and medical assistance programs if
12 25 necessary to comply with federal requirements.
12 26 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
12 27 appropriated from the general fund of the state to the
12 28 department of human services for the fiscal year beginning
12 29 July 1, 2007, and ending June 30, 2008, the following amount,
12 30 or so much thereof as is necessary, to be used for the purpose
12 31 designated:
12 32 To be credited to the family investment program (FIP)
12 33 account and used for family investment program assistance
12 34 under chapter 239B:
12 35 \$ 42,101,768
13 1 1. Of the funds appropriated in this section, \$8,975,588
13 2 is allocated for the JOBS program.
13 3 2. Of the funds appropriated in this section, \$2,584,367
13 4 is allocated for the family development and self-sufficiency
13 5 grant program as provided under section 217.12 and this
13 6 division of this Act.
13 7 3. Of the funds appropriated in this section, \$200,000
13 8 shall be used to continue a grant to an Iowa-based nonprofit
13 9 organization with a history of providing tax preparation
13 10 assistance to low-income Iowans in order to expand the usage
13 11 of the earned income tax credit. The purpose of the grant is
13 12 to supply this assistance to underserved areas of the state.
13 13 The grant shall be provided to an organization that has
13 14 existing national foundation support for supplying such
13 15 assistance that can also secure local charitable match
13 16 funding.
13 17 4. Notwithstanding section 8.39, for the fiscal year
13 18 beginning July 1, 2007, if necessary to meet federal
13 19 maintenance of effort requirements or to transfer federal
13 20 temporary assistance for needy families block grant funding to
13 21 be used for purposes of the federal social services block
13 22 grant or to meet cash flow needs resulting from delays in
13 23 receiving federal funding or to implement, in accordance with
13 24 this division of this Act, activities currently funded with
13 25 juvenile court services, county, or community moneys and state
13 26 moneys used in combination with such moneys, the department of
13 27 human services may transfer funds within or between any of the
13 28 appropriations made in this division of this Act and
13 29 appropriations in law for the federal social services block
13 30 grant to the department for the following purposes, provided
13 31 that the combined amount of state and federal temporary
13 32 assistance for needy families block grant funding for each
13 33 appropriation remains the same before and after the transfer:
13 34 a. For the family investment program.

13 35 b. For child care assistance.
 14 1 c. For child and family services.
 14 2 d. For field operations.
 14 3 e. For general administration.
 14 4 f. MH/MR/DD/BI community services (local purchase).
 14 5 This subsection shall not be construed to prohibit existing
 14 6 state transfer authority for other purposes. The department
 14 7 shall report any transfers made pursuant to this subsection to
 14 8 the legislative services agency.
 14 9 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
 14 10 from the general fund of the state to the department of human
 14 11 services for the fiscal year beginning July 1, 2007, and
 14 12 ending June 30, 2008, the following amount, or so much thereof
 14 13 as is necessary, to be used for the purposes designated:
 14 14 For child support recovery, including salaries, support,
 14 15 maintenance, and miscellaneous purposes:
 14 16 \$ 9,760,098
 14 17 1. The department shall expend up to \$31,000, including
 14 18 federal financial participation, for the fiscal year beginning
 14 19 July 1, 2007, for a child support public awareness campaign.
 14 20 The department and the office of the attorney general shall
 14 21 cooperate in continuation of the campaign. The public
 14 22 awareness campaign shall emphasize, through a variety of media
 14 23 activities, the importance of maximum involvement of both
 14 24 parents in the lives of their children as well as the
 14 25 importance of payment of child support obligations.
 14 26 2. Federal access and visitation grant moneys shall be
 14 27 issued directly to private not-for-profit agencies that
 14 28 provide services designed to increase compliance with the
 14 29 child access provisions of court orders, including but not
 14 30 limited to neutral visitation site and mediation services.
 14 31 3. Beginning October 1, 2007, and notwithstanding chapter
 14 32 252C, 252F, or 252H, or any other applicable chapter, either
 14 33 parent may be ordered to provide medical support in accordance
 14 34 with the federal Deficit Reduction Act of 2005, Pub. L. No.
 14 35 109=171.
 15 1 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from
 15 2 the general fund of the state to the department of human
 15 3 services for the fiscal year beginning July 1, 2007, and
 15 4 ending June 30, 2008, the following amount, or so much thereof
 15 5 as is necessary, to be used for the purpose designated:
 15 6 For medical assistance reimbursement and associated costs
 15 7 as specifically provided in the reimbursement methodologies in
 15 8 effect on June 30, 2007, except as otherwise expressly
 15 9 authorized by law, including reimbursement for abortion
 15 10 services, which shall be available under the medical
 15 11 assistance program only for those abortions which are
 15 12 medically necessary:
 15 13 \$713,121,893
 15 14 1. Medically necessary abortions are those performed under
 15 15 any of the following conditions:
 15 16 a. The attending physician certifies that continuing the
 15 17 pregnancy would endanger the life of the pregnant woman.
 15 18 b. The attending physician certifies that the fetus is
 15 19 physically deformed, mentally deficient, or afflicted with a
 15 20 congenital illness.
 15 21 c. The pregnancy is the result of a rape which is reported
 15 22 within 45 days of the incident to a law enforcement agency or
 15 23 public or private health agency which may include a family
 15 24 physician.
 15 25 d. The pregnancy is the result of incest which is reported
 15 26 within 150 days of the incident to a law enforcement agency or
 15 27 public or private health agency which may include a family
 15 28 physician.
 15 29 e. Any spontaneous abortion, commonly known as a
 15 30 miscarriage, if not all of the products of conception are
 15 31 expelled.
 15 32 2. The department shall utilize not more than \$60,000 of
 15 33 the funds appropriated in this section to continue the
 15 34 AIDS/HIV health insurance premium payment program as
 15 35 established in 1992 Iowa Acts, Second Extraordinary Session,
 16 1 chapter 1001, section 409, subsection 6. Of the funds
 16 2 allocated in this subsection, not more than \$5,000 may be
 16 3 expended for administrative purposes.
 16 4 3. Of the funds appropriated in this Act to the department
 16 5 of public health for addictive disorders, \$950,000 for the
 16 6 fiscal year beginning July 1, 2007, shall be transferred to
 16 7 the department of human services for an integrated substance
 16 8 abuse managed care system.
 16 9 4. a. The department shall aggressively pursue options
 16 10 for providing medical assistance or other assistance to

16 11 individuals with special needs who become ineligible to
16 12 continue receiving services under the early and periodic
16 13 screening, diagnosis, and treatment program under the medical
16 14 assistance program due to becoming 21 years of age, who have
16 15 been approved for additional assistance through the
16 16 department's exception to policy provisions, but who have
16 17 health care needs in excess of the funding available through
16 18 the exception to policy process.

16 19 b. Of the funds appropriated in this section, \$100,000
16 20 shall be used for participation in one or more pilot projects
16 21 operated by a private provider to allow the individual or
16 22 individuals to receive service in the community in accordance
16 23 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
16 24 (1999), for the purpose of providing medical assistance or
16 25 other assistance to individuals with special needs who become
16 26 ineligible to continue receiving services under the early and
16 27 periodic screening, diagnosis, and treatment program under the
16 28 medical assistance program due to becoming 21 years of age,
16 29 who have been approved for additional assistance through the
16 30 department's exception to policy provisions, but who have
16 31 health care needs in excess of the funding available through
16 32 the exception to the policy provisions.

16 33 5. Of the funds appropriated in this section, up to
16 34 \$3,050,082 may be transferred to the field operations or
16 35 general administration appropriations in this Act for
17 1 operational costs associated with Part D of the federal
17 2 Medicare Prescription Drug, Improvement, and Modernization Act
17 3 of 2003, Pub. L. No. 108-173.

17 4 6. Of the funds appropriated in this section, \$250,000
17 5 shall be used for a dollar-for-dollar matching grant to the
17 6 Iowa health care collaborative as defined in section 135.40.

17 7 7. The department may amend the Medicaid state plan to
17 8 provide medical assistance reciprocity for children who
17 9 receive an adoption subsidy who are not eligible for funding
17 10 under Title IV-E of the federal Social Security Act.

17 11 8. Of the funds appropriated in this section, up to
17 12 \$500,000 shall be used to enhance outreach efforts. The
17 13 department may transfer funds allocated in this subsection to
17 14 the appropriations in this division for general administration
17 15 or medical contracts, as necessary, to implement the outreach
17 16 efforts.

17 17 Sec. 11. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
17 18 is appropriated from the general fund of the state to the
17 19 department of human services for the fiscal year beginning
17 20 July 1, 2007, and ending June 30, 2008, the following amount,
17 21 or so much thereof as is necessary, to be used for the purpose
17 22 designated:

17 23 For administration of the health insurance premium payment
17 24 program, including salaries, support, maintenance, and
17 25 miscellaneous purposes:

17 26 \$ 654,568

17 27 Sec. 12. MEDICAL CONTRACTS. There is appropriated from
17 28 the general fund of the state to the department of human
17 29 services for the fiscal year beginning July 1, 2007, and
17 30 ending June 30, 2008, the following amount, or so much thereof
17 31 as is necessary, to be used for the purpose designated:

17 32 For medical contracts, including salaries, support,
17 33 maintenance, and miscellaneous purposes:

17 34 \$ 15,217,985

17 35 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

18 1 1. There is appropriated from the general fund of the
18 2 state to the department of human services for the fiscal year
18 3 beginning July 1, 2007, and ending June 30, 2008, the
18 4 following amount, or so much thereof as is necessary, to be
18 5 used for the purpose designated:

18 6 For the state supplementary assistance program:

18 7 \$ 17,210,335

18 8 2. The department shall increase the personal needs
18 9 allowance for residents of residential care facilities by the
18 10 same percentage and at the same time as federal supplemental
18 11 security income and federal social security benefits are
18 12 increased due to a recognized increase in the cost of living.
18 13 The department may adopt emergency rules to implement this
18 14 subsection.

18 15 3. If during the fiscal year beginning July 1, 2007, the
18 16 department projects that state supplementary assistance
18 17 expenditures for a calendar year will not meet the federal
18 18 pass-along requirement specified in Title XVI of the federal
18 19 Social Security Act, section 1618, as codified in 42 U.S.C. }
18 20 1382g, the department may take actions including but not
18 21 limited to increasing the personal needs allowance for

18 22 residential care facility residents and making programmatic
18 23 adjustments or upward adjustments of the residential care
18 24 facility or in-home health-related care reimbursement rates
18 25 prescribed in this division of this Act to ensure that federal
18 26 requirements are met. In addition, the department may make
18 27 other programmatic and rate adjustments necessary to remain
18 28 within the amount appropriated in this section while ensuring
18 29 compliance with federal requirements. The department may
18 30 adopt emergency rules to implement the provisions of this
18 31 subsection.

18 32 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
18 33 appropriated from the general fund of the state to the
18 34 department of human services for the fiscal year beginning
18 35 July 1, 2007, and ending June 30, 2008, the following amount,
19 1 or so much thereof as is necessary, to be used for the purpose
19 2 designated:

19 3 For maintenance of the healthy and well kids in Iowa (hawk=
19 4 i) program pursuant to chapter 514I for receipt of federal
19 5 financial participation under Title XXI of the federal Social
19 6 Security Act, which creates the state children's health
19 7 insurance program:

19 8 \$ 23,200,622

19 9 Sec. 15. CHILD CARE ASSISTANCE. There is appropriated
19 10 from the general fund of the state to the department of human
19 11 services for the fiscal year beginning July 1, 2007, and
19 12 ending June 30, 2008, the following amount, or so much thereof
19 13 as is necessary, to be used for the purpose designated:

19 14 For child care programs:

19 15 \$ 40,430,988

19 16 1. Of the funds appropriated in this section, \$35,969,889
19 17 shall be used for state child care assistance in accordance
19 18 with section 237A.13.

19 19 2. Nothing in this section shall be construed or is
19 20 intended as, or shall imply, a grant of entitlement for
19 21 services to persons who are eligible for assistance due to an
19 22 income level consistent with the waiting list requirements of
19 23 section 237A.13. Any state obligation to provide services
19 24 pursuant to this section is limited to the extent of the funds
19 25 appropriated in this section.

19 26 3. Of the funds appropriated in this section, \$525,524 is
19 27 allocated for the statewide program for child care resource
19 28 and referral services under section 237A.26. A list of the
19 29 registered and licensed child care facilities operating in the
19 30 area served by a child care resource and referral service
19 31 shall be made available to the families receiving state child
19 32 care assistance in that area.

19 33 4. Of the funds appropriated in this section, \$2,733,575
19 34 is allocated for child care quality improvement initiatives
19 35 including but not limited to development and continuation of a
20 1 quality rating system.

20 2 5. The department may use any of the funds appropriated in
20 3 this section as a match to obtain federal funds for use in
20 4 expanding child care assistance and related programs. For the
20 5 purpose of expenditures of state and federal child care
20 6 funding, funds shall be considered obligated at the time
20 7 expenditures are projected or are allocated to the
20 8 department's service areas. Projections shall be based on
20 9 current and projected caseload growth, current and projected
20 10 provider rates, staffing requirements for eligibility
20 11 determination and management of program requirements including
20 12 data systems management, staffing requirements for
20 13 administration of the program, contractual and grant
20 14 obligations and any transfers to other state agencies, and
20 15 obligations for decategorization or innovation projects.

20 16 6. A portion of the state match for the federal child care
20 17 and development block grant shall be provided as necessary to
20 18 meet federal matching funds requirements through the state
20 19 general fund appropriation for child development grants and
20 20 other programs for at-risk children in section 279.51.

20 21 7. Of the funds appropriated in this section, \$1,200,000
20 22 is transferred to the Iowa empowerment fund to be used for
20 23 professional development for the system of early care, health,
20 24 and education.

20 25 8. Notwithstanding section 8.33, moneys appropriated
20 26 within this section or received from the federal
20 27 appropriations made for the purposes of this section, that
20 28 remain unencumbered or unobligated at the close of the fiscal
20 29 year shall not revert to any fund but shall remain available
20 30 for expenditure for the purposes designated until the close of
20 31 the succeeding fiscal year.

20 32 Sec. 16. JUVENILE INSTITUTIONS. There is appropriated

20 33 from the general fund of the state to the department of human
20 34 services for the fiscal year beginning July 1, 2007, and
20 35 ending June 30, 2008, the following amounts, or so much
21 1 thereof as is necessary, to be used for the purposes
21 2 designated:

21 3 1. For operation of the Iowa juvenile home at Toledo and
21 4 for salaries, support, and maintenance:
21 5 \$ 6,985,684

21 6 2. For operation of the state training school at Eldora
21 7 and for salaries, support, and maintenance:
21 8 \$ 11,056,998

21 9 3. A portion of the moneys appropriated in this section
21 10 shall be used by the state training school and by the Iowa
21 11 juvenile home for grants for adolescent pregnancy prevention
21 12 activities at the institutions in the fiscal year beginning
21 13 July 1, 2007.

21 14 Sec. 17. CHILD AND FAMILY SERVICES.

21 15 1. There is appropriated from the general fund of the
21 16 state to the department of human services for the fiscal year
21 17 beginning July 1, 2007, and ending June 30, 2008, the
21 18 following amount, or so much thereof as is necessary, to be
21 19 used for the purpose designated:
21 20 For child and family services:
21 21 \$ 84,397,510

21 22 2. In order to address a reduction of \$5,200,000 from the
21 23 amount allocated under the appropriation made for the purposes
21 24 of this section in prior years for purposes of juvenile
21 25 delinquent graduated sanction services, up to \$5,200,000 of
21 26 the amount of federal temporary assistance for needy families
21 27 block grant funding appropriated in this division of this Act
21 28 for child and family services shall be made available for
21 29 purposes of juvenile delinquent graduated sanction services.

21 30 3. The department may transfer funds appropriated in this
21 31 section as necessary to pay the nonfederal costs of services
21 32 reimbursed under the medical assistance program or the family
21 33 investment program which are provided to children who would
21 34 otherwise receive services paid under the appropriation in
21 35 this section. The department may transfer funds appropriated
22 1 in this section to the appropriations in this division of this
22 2 Act for general administration and for field operations for
22 3 resources necessary to implement and operate the services
22 4 funded in this section.

22 5 4. a. Of the funds appropriated in this section, up to
22 6 \$34,632,778 is allocated as the statewide expenditure target
22 7 under section 232.143 for group foster care maintenance and
22 8 services.

22 9 b. If at any time after September 30, 2007, annualization
22 10 of a service area's current expenditures indicates a service
22 11 area is at risk of exceeding its group foster care expenditure
22 12 target under section 232.143 by more than 5 percent, the
22 13 department and juvenile court services shall examine all group
22 14 foster care placements in that service area in order to
22 15 identify those which might be appropriate for termination. In
22 16 addition, any aftercare services believed to be needed for the
22 17 children whose placements may be terminated shall be
22 18 identified. The department and juvenile court services shall
22 19 initiate action to set dispositional review hearings for the
22 20 placements identified. In such a dispositional review
22 21 hearing, the juvenile court shall determine whether needed
22 22 aftercare services are available and whether termination of
22 23 the placement is in the best interest of the child and the
22 24 community.

22 25 c. Of the funds allocated in this subsection, \$2,304,798
22 26 is allocated as the state match funding for 50 highly
22 27 structured juvenile program beds. If the number of beds
22 28 provided for in this lettered paragraph is not utilized, the
22 29 remaining funds allocated may be used for group foster care.

22 30 5. In accordance with the provisions of section 232.188,
22 31 the department shall continue the child welfare and juvenile
22 32 justice funding initiative. Of the funds appropriated in this
22 33 section, \$2,500,000 is allocated specifically for expenditure
22 34 through the decategorization service funding pools and
22 35 governance boards established pursuant to section 232.188. In
23 1 addition, up to \$1,000,000 of the amount of federal temporary
23 2 assistance for needy families block grant funding appropriated
23 3 in this division of this Act for child and family services
23 4 shall be made available for purposes of the decategorization
23 5 initiative as provided in this subsection.

23 6 6. A portion of the funds appropriated in this section may
23 7 be used for emergency family assistance to provide other
23 8 resources required for a family participating in a family

23 9 preservation or reunification project or successor project to
23 10 stay together or to be reunified.

23 11 7. Notwithstanding section 234.35 or any other provision
23 12 of law to the contrary, for the fiscal year beginning July 1,
23 13 2007, state funding for shelter care shall be limited to the
23 14 amount necessary to fund 273 beds that are guaranteed and
23 15 seven beds that are not guaranteed.

23 16 8. Federal funds received by the state during the fiscal
23 17 year beginning July 1, 2007, as the result of the expenditure
23 18 of state funds appropriated during a previous state fiscal
23 19 year for a service or activity funded under this section, are
23 20 appropriated to the department to be used as additional
23 21 funding for services and purposes provided for under this
23 22 section. Notwithstanding section 8.33, moneys received in
23 23 accordance with this subsection that remain unencumbered or
23 24 unobligated at the close of the fiscal year shall not revert
23 25 to any fund but shall remain available for the purposes
23 26 designated until the close of the succeeding fiscal year.

23 27 9. Of the funds appropriated in this section, \$3,696,285
23 28 shall be used for protective child care assistance.

23 29 10. Of the funds appropriated in this section, up to
23 30 \$3,002,844 is allocated for the payment of the expenses of
23 31 court-ordered services provided to juveniles which are a
23 32 charge upon the state pursuant to section 232.141, subsection

23 33 4. Of the amount allocated in this subsection, up to
23 34 \$1,505,161 shall be made available to provide school-based
23 35 supervision of children adjudicated under chapter 232, of
24 1 which not more than \$15,000 may be used for the purpose of
24 2 training. A portion of the cost of each school-based liaison
24 3 officer shall be paid by the school district or other funding
24 4 source as approved by the chief juvenile court officer.

24 5 a. Notwithstanding section 232.141 or any other provision
24 6 of law to the contrary, the amount allocated in this
24 7 subsection shall be distributed to the judicial districts as
24 8 determined by the state court administrator. The state court
24 9 administrator shall make the determination of the distribution
24 10 amounts on or before June 15, 2007.

24 11 b. Notwithstanding chapter 232 or any other provision of
24 12 law to the contrary, a district or juvenile court shall not
24 13 order any service which is a charge upon the state pursuant to
24 14 section 232.141 if there are insufficient court-ordered
24 15 services funds available in the district court distribution
24 16 amount to pay for the service. The chief juvenile court
24 17 officer shall encourage use of the funds allocated in this
24 18 subsection such that there are sufficient funds to pay for all
24 19 court-related services during the entire year. The chief
24 20 juvenile court officers shall attempt to anticipate potential
24 21 surpluses and shortfalls in the distribution amounts and shall
24 22 cooperatively request the state court administrator to
24 23 transfer funds between the districts' distribution amounts as
24 24 prudent.

24 25 c. Notwithstanding any provision of law to the contrary, a
24 26 district or juvenile court shall not order a county to pay for
24 27 any service provided to a juvenile pursuant to an order
24 28 entered under chapter 232 which is a charge upon the state
24 29 under section 232.141, subsection 4.

24 30 d. Of the funds allocated in this subsection, not more
24 31 than \$100,000 may be used by the judicial branch for
24 32 administration of the requirements under this subsection and
24 33 for travel associated with court-ordered placements which are
24 34 a charge upon the state pursuant to section 232.141,
24 35 subsection 4.

25 1 11. Notwithstanding 2000 Iowa Acts, chapter 1228, section
25 2 43, the department may operate a subsidized guardianship
25 3 program if the United States department of health and human
25 4 services approves a waiver under Title IV-E of the federal
25 5 Social Security Act or the federal Social Security Act is
25 6 amended to allow Title IV-E funding to be used for subsidized
25 7 guardianship, and the subsidized guardianship program can be
25 8 operated without loss of Title IV-E funds.

25 9 12. Of the funds appropriated in this section, \$1,000,000
25 10 shall be transferred to the department of public health to be
25 11 used for the child protection center grant program in
25 12 accordance with section 135.118.

25 13 13. Of the funds appropriated in this section, \$148,000
25 14 shall be used for funding of one or more child welfare
25 15 diversion and mediation pilot projects as provided in 2004
25 16 Iowa Acts, chapter 1130, section 1.

25 17 14. If the department receives federal approval to
25 18 implement a waiver under Title IV-E of the federal Social
25 19 Security Act to enable providers to serve children who remain

25 20 in the children's families and communities, for purposes of
25 21 eligibility under the medical assistance program children who
25 22 participate in the waiver shall be considered to be placed in
25 23 foster care.

25 24 15. Of the funds appropriated in this section, \$2,993,934
25 25 is allocated for the preparation for adult living program
25 26 pursuant to section 234.46.

25 27 16. Of the funds appropriated in this section, \$50,000 is
25 28 allocated for a grant to continue an existing program operated
25 29 by a nonprofit organization providing family treatment and
25 30 community education services in a nine-county area.

25 31 17. Of the funds appropriated in this section, \$1,000,000
25 32 shall be used to continue juvenile drug courts. The amount
25 33 allocated in this subsection shall be distributed as follows:

25 34 a. To the judicial branch for salaries to assist with the
25 35 operation of juvenile drug court programs operated in the
26 1 following jurisdictions:

26 2 (1) Marshall county:

26 3 \$ 60,000

26 4 (2) Woodbury county:

26 5 \$ 120,254

26 6 (3) Polk county:

26 7 \$ 187,434

26 8 (4) For continuation of a program in the eighth judicial
26 9 district and in another judicial district:

26 10 \$ 130,000

26 11 b. For court-ordered services to support substance abuse
26 12 and related services provided to the juveniles participating
26 13 in the juvenile drug court programs listed in paragraph "a"
26 14 and the juveniles' families:

26 15 \$ 502,312

26 16 The state court administrator shall allocate the funding
26 17 designated in this paragraph among the programs.

26 18 18. Of the funds appropriated in this section, \$100,000 is
26 19 allocated to continue the multidimensional treatment level
26 20 foster care program established pursuant to 2006 Iowa Acts,
26 21 chapter 1123.

26 22 19. During the fiscal year beginning July 1, 2007, the
26 23 department shall continue funding one or more child welfare
26 24 diversion and mediation pilot projects implemented pursuant to
26 25 2004 Iowa Acts, chapter 1130, section 1.

26 26 20. Of the funds appropriated in this section, \$230,000
26 27 shall be used for a grant to a nonprofit human services
26 28 organization providing services to individuals and families in
26 29 multiple locations in southwest Iowa and Nebraska for support
26 30 of a project providing immediate, sensitive support and
26 31 forensic interviews, medical exams, needs assessments and
26 32 referrals for victims of child abuse and their nonoffending
26 33 family members.

26 34 Sec. 18. ADOPTION SUBSIDY.

26 35 1. There is appropriated from the general fund of the
27 1 state to the department of human services for the fiscal year
27 2 beginning July 1, 2007, and ending June 30, 2008, the
27 3 following amount, or so much thereof as is necessary, to be
27 4 used for the purpose designated:

27 5 For adoption subsidy payments and services:

27 6 \$ 31,972,681

27 7 2. The department may transfer funds appropriated in this
27 8 section to the appropriations in this Act for child and family
27 9 services to be used for adoptive family recruitment and other
27 10 services to achieve adoption.

27 11 3. Federal funds received by the state during the fiscal
27 12 year beginning July 1, 2007, as the result of the expenditure
27 13 of state funds during a previous state fiscal year for a
27 14 service or activity funded under this section, are
27 15 appropriated to the department to be used as additional
27 16 funding for the services and activities funded under this
27 17 section. Notwithstanding section 8.33, moneys received in
27 18 accordance with this subsection that remain unencumbered or
27 19 unobligated at the close of the fiscal year shall not revert
27 20 to any fund but shall remain available for expenditure for the
27 21 purposes designated until the close of the succeeding fiscal
27 22 year.

27 23 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
27 24 in the juvenile detention home fund created in section 232.142
27 25 during the fiscal year beginning July 1, 2007, and ending June
27 26 30, 2008, are appropriated to the department of human services
27 27 for the fiscal year beginning July 1, 2007, and ending June
27 28 30, 2008, for distribution as follows:

27 29 1. An amount equal to 10 percent of the costs of the
27 30 establishment, improvement, operation, and maintenance of

27 31 county or multicounty juvenile detention homes in the fiscal
 27 32 year beginning July 1, 2006. Moneys appropriated for
 27 33 distribution in accordance with this subsection shall be
 27 34 allocated among eligible detention homes, prorated on the
 27 35 basis of an eligible detention home's proportion of the costs
 28 1 of all eligible detention homes in the fiscal year beginning
 28 2 July 1, 2006. Notwithstanding section 232.142, subsection 3,
 28 3 the financial aid payable by the state under that provision
 28 4 for the fiscal year beginning July 1, 2007, shall be limited
 28 5 to the amount appropriated for the purposes of this
 28 6 subsection.
 28 7 2. For renewal of a grant to a county with a population
 28 8 between 189,000 and 196,000 in the latest preceding certified
 28 9 federal census for implementation of the county's runaway
 28 10 treatment plan under section 232.195:
 28 11 \$ 80,000
 28 12 3. For continuation and expansion of the community
 28 13 partnership for child protection sites:
 28 14 \$ 318,000
 28 15 4. For continuation of the department's minority youth and
 28 16 family projects under the redesign of the child welfare
 28 17 system:
 28 18 \$ 375,000
 28 19 5. For funding of the state match for the federal
 28 20 substance abuse and mental health services administration
 28 21 (SAMHSA) system of care grant:
 28 22 \$ 400,000
 28 23 6. For transfer to the appropriation made in this Act for
 28 24 child and family services to continue funding for children in
 28 25 group foster care:
 28 26 \$ 1,224,000
 28 27 7. For training of nonlicensed relatives caring for
 28 28 children in the child welfare system:
 28 29 \$ 276,000
 28 30 8. The remainder for additional allocations to county or
 28 31 multicounty juvenile detention homes, in accordance with the
 28 32 distribution requirements of subsection 1.
 28 33 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.
 28 34 1. There is appropriated from the general fund of the
 28 35 state to the department of human services for the fiscal year
 29 1 beginning July 1, 2007, and ending June 30, 2008, the
 29 2 following amount, or so much thereof as is necessary, to be
 29 3 used for the purpose designated:
 29 4 For the family support subsidy program:
 29 5 \$ 1,936,434
 29 6 2. The department shall use at least \$333,212 of the
 29 7 moneys appropriated in this section for the family support
 29 8 center component of the comprehensive family support program
 29 9 under section 225C.47. Not more than \$20,000 of the amount
 29 10 allocated in this subsection shall be used for administrative
 29 11 costs.
 29 12 Sec. 21. CONNER DECREE. There is appropriated from the
 29 13 general fund of the state to the department of human services
 29 14 for the fiscal year beginning July 1, 2007, and ending June
 29 15 30, 2008, the following amount, or so much thereof as is
 29 16 necessary, to be used for the purpose designated:
 29 17 For building community capacity through the coordination
 29 18 and provision of training opportunities in accordance with the
 29 19 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
 29 20 Iowa, July 14, 1994):
 29 21 \$ 42,623
 29 22 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated
 29 23 from the general fund of the state to the department of human
 29 24 services for the fiscal year beginning July 1, 2007, and
 29 25 ending June 30, 2008, the following amounts, or so much
 29 26 thereof as is necessary, to be used for the purposes
 29 27 designated:
 29 28 1. For the state mental health institute at Cherokee for
 29 29 salaries, support, maintenance, and miscellaneous purposes:
 29 30 \$ 5,367,652
 29 31 2. For the state mental health institute at Clarinda for
 29 32 salaries, support, maintenance, and miscellaneous purposes:
 29 33 \$ 6,540,101
 29 34 3. For the state mental health institute at Independence
 29 35 for salaries, support, maintenance, and miscellaneous
 30 1 purposes:
 30 2 \$ 9,606,542
 30 3 4. For the state mental health institute at Mount Pleasant
 30 4 for salaries, support, maintenance, and miscellaneous
 30 5 purposes:
 30 6 \$ 1,522,598

30 7 Sec. 23. STATE RESOURCE CENTERS.

30 8 1. There is appropriated from the general fund of the

30 9 state to the department of human services for the fiscal year

30 10 beginning July 1, 2007, and ending June 30, 2008, the

30 11 following amounts, or so much thereof as is necessary, to be

30 12 used for the purposes designated:

30 13 a. For the state resource center at Glenwood for salaries,

30 14 support, maintenance, and miscellaneous purposes:

30 15 \$ 16,188,762

30 16 b. For the state resource center at Woodward for salaries,

30 17 support, maintenance, and miscellaneous purposes:

30 18 \$ 10,337,272

30 19 2. The department may continue to bill for state resource

30 20 center services utilizing a scope of services approach used

30 21 for private providers of ICFMR services, in a manner which

30 22 does not shift costs between the medical assistance program,

30 23 counties, or other sources of funding for the state resource

30 24 centers.

30 25 3. The state resource centers may expand the time limited

30 26 assessment and respite services during the fiscal year.

30 27 4. If the department's administration and the department

30 28 of management concur with a finding by a state resource

30 29 center's superintendent that projected revenues can reasonably

30 30 be expected to pay the salary and support costs for a new

30 31 employee position, or that such costs for adding a particular

30 32 number of new positions for the fiscal year would be less than

30 33 the overtime costs if new positions would not be added, the

30 34 superintendent may add the new position or positions. If the

30 35 vacant positions available to a resource center do not include

31 1 the position classification desired to be filled, the state

31 2 resource center's superintendent may reclassify any vacant

31 3 position as necessary to fill the desired position. The

31 4 superintendents of the state resource centers may, by mutual

31 5 agreement, pool vacant positions and position classifications

31 6 during the course of the fiscal year in order to assist one

31 7 another in filling necessary positions.

31 8 5. If existing capacity limitations are reached in

31 9 operating units, a waiting list is in effect for a service or

31 10 a special need for which a payment source or other funding is

31 11 available for the service or to address the special need, and

31 12 facilities for the service or to address the special need can

31 13 be provided within the available payment source or other

31 14 funding, the superintendent of a state resource center may

31 15 authorize opening not more than two units or other facilities

31 16 and to begin implementing the service or addressing the

31 17 special need during fiscal year 2007=2008.

31 18 Sec. 24. MI/MR/DD STATE CASES.

31 19 1. There is appropriated from the general fund of the

31 20 state to the department of human services for the fiscal year

31 21 beginning July 1, 2007, and ending June 30, 2008, the

31 22 following amount, or so much thereof as is necessary, to be

31 23 used for the purpose designated:

31 24 For distribution to counties for state case services for

31 25 persons with mental illness, mental retardation, and

31 26 developmental disabilities in accordance with section 331.440:

31 27 \$ 13,067,178

31 28 2. For the fiscal year beginning July 1, 2007, and ending

31 29 June 30, 2008, \$200,000 is allocated for state case services

31 30 from the amounts appropriated from the fund created in section

31 31 8.41 to the department of human services from the funds

31 32 received from the federal government under 42 U.S.C., chapter

31 33 6A, subchapter XVII, relating to the community mental health

31 34 center block grant, for the federal fiscal years beginning

31 35 October 1, 2005, and ending September 30, 2006, beginning

32 1 October 1, 2006, and ending September 30, 2007, and beginning

32 2 October 1, 2007, and ending September 30, 2008. The

32 3 allocation made in this subsection shall be made prior to any

32 4 other distribution allocation of the appropriated federal

32 5 funds.

32 6 3. Notwithstanding section 8.33, moneys appropriated in

32 7 this section that remain unencumbered or unobligated at the

32 8 close of the fiscal year shall not revert but shall remain

32 9 available for expenditure for the purposes designated until

32 10 the close of the succeeding fiscal year.

32 11 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==

32 12 COMMUNITY SERVICES FUND. There is appropriated from the

32 13 general fund of the state to the mental health and

32 14 developmental disabilities community services fund created in

32 15 section 225C.7 for the fiscal year beginning July 1, 2007, and

32 16 ending June 30, 2008, the following amount, or so much thereof

32 17 as is necessary, to be used for the purpose designated:

32 18 For mental health and developmental disabilities community
32 19 services in accordance with this division of this Act:
32 20 \$ 18,017,890
32 21 1. Of the funds appropriated in this section, \$17,727,890
32 22 shall be allocated to counties for funding of community-based
32 23 mental health and developmental disabilities services. The
32 24 moneys shall be allocated to a county as follows:
32 25 a. Fifty percent based upon the county's proportion of the
32 26 state's population of persons with an annual income which is
32 27 equal to or less than the poverty guideline established by the
32 28 federal office of management and budget.
32 29 b. Fifty percent based upon the county's proportion of the
32 30 state's general population.
32 31 2. a. A county shall utilize the funding the county
32 32 receives pursuant to subsection 1 for services provided to
32 33 persons with a disability, as defined in section 225C.2.
32 34 However, no more than 50 percent of the funding shall be used
32 35 for services provided to any one of the service populations.
33 1 b. A county shall use at least 50 percent of the funding
33 2 the county receives under subsection 1 for contemporary
33 3 services provided to persons with a disability, as described
33 4 in rules adopted by the department.
33 5 3. Of the funds appropriated in this section, \$30,000
33 6 shall be used to support the Iowa compass program providing
33 7 computerized information and referral services for Iowans with
33 8 disabilities and their families.
33 9 4. a. Funding appropriated for purposes of the federal
33 10 social services block grant is allocated for distribution to
33 11 counties for local purchase of services for persons with
33 12 mental illness or mental retardation or other developmental
33 13 disability.
33 14 b. The funds allocated in this subsection shall be
33 15 expended by counties in accordance with the county's approved
33 16 county management plan. A county without an approved county
33 17 management plan shall not receive allocated funds until the
33 18 county's management plan is approved.
33 19 c. The funds provided by this subsection shall be
33 20 allocated to each county as follows:
33 21 (1) Fifty percent based upon the county's proportion of
33 22 the state's population of persons with an annual income which
33 23 is equal to or less than the poverty guideline established by
33 24 the federal office of management and budget.
33 25 (2) Fifty percent based upon the amount provided to the
33 26 county for local purchase of services in the preceding fiscal
33 27 year.
33 28 5. A county is eligible for funds under this section if
33 29 the county qualifies for a state payment as described in
33 30 section 331.439.
33 31 6. Of the funds appropriated in this section, \$260,000 is
33 32 allocated to the department for continuing the development of
33 33 an assessment process for use beginning in a subsequent fiscal
33 34 year as authorized specifically by a statute to be enacted in
33 35 a subsequent fiscal year, determining on a consistent basis
34 1 the needs and capacities of persons seeking or receiving
34 2 mental health, mental retardation, developmental disabilities,
34 3 or brain injury services that are paid for in whole or in part
34 4 by the state or a county. The assessment process shall be
34 5 developed with the involvement of counties and the mental
34 6 health, mental retardation, developmental disabilities, and
34 7 brain injury commission.
34 8 Sec. 26. SEXUALLY VIOLENT PREDATORS.
34 9 1. There is appropriated from the general fund of the
34 10 state to the department of human services for the fiscal year
34 11 beginning July 1, 2007, and ending June 30, 2008, the
34 12 following amount, or so much thereof as is necessary, to be
34 13 used for the purpose designated:
34 14 For costs associated with the commitment and treatment of
34 15 sexually violent predators in the unit located at the state
34 16 mental health institute at Cherokee, including costs of legal
34 17 services and other associated costs, including salaries,
34 18 support, maintenance, and miscellaneous purposes:
34 19 \$ 5,846,003
34 20 2. Unless specifically prohibited by law, if the amount
34 21 charged provides for recoupment of at least the entire amount
34 22 of direct and indirect costs, the department of human services
34 23 may contract with other states to provide care and treatment
34 24 of persons placed by the other states at the unit for sexually
34 25 violent predators at Cherokee. The moneys received under such
34 26 a contract shall be considered to be repayment receipts and
34 27 used for the purposes of the appropriation made in this
34 28 section.

34 29 Sec. 27. FIELD OPERATIONS. There is appropriated from the
34 30 general fund of the state to the department of human services
34 31 for the fiscal year beginning July 1, 2007, and ending June
34 32 30, 2008, the following amount, or so much thereof as is
34 33 necessary, to be used for the purposes designated:
34 34 For field operations, including salaries, support,
34 35 maintenance, and miscellaneous purposes:
35 1 \$ 64,595,423
35 2 Priority in filling full-time equivalent positions shall be
35 3 given to those positions related to child protection services.
35 4 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
35 5 from the general fund of the state to the department of human
35 6 services for the fiscal year beginning July 1, 2007, and
35 7 ending June 30, 2008, the following amount, or so much thereof
35 8 as is necessary, to be used for the purpose designated:
35 9 For general administration, including salaries, support,
35 10 maintenance, and miscellaneous purposes:
35 11 \$ 15,551,927
35 12 Of the funds appropriated in this section, \$57,000 is
35 13 allocated for the prevention of disabilities policy council
35 14 established in section 225B.3.
35 15 Sec. 29. VOLUNTEERS. There is appropriated from the
35 16 general fund of the state to the department of human services
35 17 for the fiscal year beginning July 1, 2007, and ending June
35 18 30, 2008, the following amount, or so much thereof as is
35 19 necessary, to be used for the purpose designated:
35 20 For development and coordination of volunteer services:
35 21 \$ 109,565
35 22 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
35 23 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
35 24 DEPARTMENT OF HUMAN SERVICES.
35 25 1. a. For the fiscal year beginning July 1, 2007, the
35 26 department shall rebase nursing facility rates, including
35 27 recalculating the per diem costs and patient day weighted
35 28 medians used in rate setting for nursing facilities. Any
35 29 rebasing of nursing facility rates shall be budget neutral.
35 30 For the fiscal year beginning July 1, 2007, the total state
35 31 funding amount for the nursing facility budget shall not
35 32 exceed \$173,717,323. The department, in cooperation with
35 33 nursing facility representatives, shall review projections for
35 34 state funding expenditures for reimbursement of nursing
35 35 facilities on a quarterly basis and the department shall
36 1 determine if an adjustment to the medical assistance
36 2 reimbursement rate is necessary in order to provide
36 3 reimbursement within the state funding amount. Any temporary
36 4 enhanced federal financial participation that may become
36 5 available to the Iowa medical assistance program during the
36 6 fiscal year shall not be used in projecting the nursing
36 7 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,
36 8 section 4, subsection 2, paragraph "c", and subsection 3,
36 9 paragraph "a", subparagraph (2), if the state funding
36 10 expenditures for the nursing facility budget for the fiscal
36 11 year beginning July 1, 2007, are projected to exceed the
36 12 amount specified in this lettered paragraph, the department
36 13 shall adjust the reimbursement for nursing facilities
36 14 reimbursed under the case-mix reimbursement system to maintain
36 15 expenditures of the nursing facility budget within the
36 16 specified amount.
36 17 b. For the fiscal year beginning July 1, 2007, the
36 18 department shall reimburse pharmacy dispensing fees using a
36 19 single rate of \$4.52 per prescription, or the pharmacy's usual
36 20 and customary fee, whichever is lower.
36 21 c. (1) For the fiscal year beginning July 1, 2007,
36 22 reimbursement rates for inpatient and outpatient hospital
36 23 services shall remain at the rates in effect on June 30, 2007.
36 24 The department shall continue the outpatient hospital
36 25 reimbursement system based upon ambulatory patient groups
36 26 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
36 27 25, subsection 1, paragraph "f", unless the department adopts
36 28 the Medicare ambulatory payment classification methodology
36 29 authorized in subparagraph (2).
36 30 (2) The department may implement the Medicare ambulatory
36 31 payment classification methodology for reimbursement of
36 32 outpatient hospital services. Any change in hospital
36 33 reimbursement shall be budget neutral.
36 34 d. For the fiscal year beginning July 1, 2007,
36 35 reimbursement rates for rural health clinics, hospices,
37 1 independent laboratories, and acute mental hospitals shall be
37 2 increased in accordance with increases under the federal
37 3 Medicare program or as supported by their Medicare audited
37 4 costs.

37 5 e. (1) For the fiscal year beginning July 1, 2007,
37 6 reimbursement rates for home health agencies shall remain at
37 7 the rates in effect on June 30, 2007, not to exceed a home
37 8 health agency's actual allowable cost.

37 9 (2) The department shall establish a fixed-fee
37 10 reimbursement schedule for home health agencies under the
37 11 medical assistance program beginning July 1, 2007.

37 12 f. For the fiscal year beginning July 1, 2007, federally
37 13 qualified health centers shall receive cost-based
37 14 reimbursement for 100 percent of the reasonable costs for the
37 15 provision of services to recipients of medical assistance.

37 16 g. Beginning July 1, 2007, the reimbursement rates for
37 17 dental services shall remain at the rates in effect on June
37 18 30, 2007.

37 19 h. For the fiscal year beginning July 1, 2007, the
37 20 reimbursement rates for community mental health centers shall
37 21 be calculated according to a 100 percent cost-based
37 22 reimbursement methodology.

37 23 i. For the fiscal year beginning July 1, 2007, the maximum
37 24 reimbursement rate for psychiatric medical institutions for
37 25 children shall be \$160.71 per day.

37 26 j. For the fiscal year beginning July 1, 2007, unless
37 27 otherwise specified in this Act, all noninstitutional medical
37 28 assistance provider reimbursement rates shall remain at the
37 29 rates in effect on June 30, 2007, except for area education
37 30 agencies, local education agencies, infant and toddler
37 31 services providers, and those providers whose rates are
37 32 required to be determined pursuant to section 249A.20.

37 33 k. Notwithstanding section 249A.20, for the fiscal year
37 34 beginning July 1, 2007, the average reimbursement rate for
37 35 health care providers eligible for use of the federal Medicare
38 1 resource-based relative value scale reimbursement methodology
38 2 under that section shall remain at the rate in effect on June
38 3 30, 2007; however, this rate shall not exceed the maximum
38 4 level authorized by the federal government.

38 5 1. For the fiscal year beginning July 1, 2007, the
38 6 reimbursement rate for residential care facilities shall not
38 7 be less than the minimum payment level as established by the
38 8 federal government to meet the federally mandated maintenance
38 9 of effort requirement. The flat reimbursement rate for
38 10 facilities electing not to file semiannual cost reports shall
38 11 not be less than the minimum payment level as established by
38 12 the federal government to meet the federally mandated
38 13 maintenance of effort requirement.

38 14 2. For the fiscal year beginning July 1, 2007, the
38 15 reimbursement rate for providers reimbursed under the in=
38 16 home-related care program shall not be less than the minimum
38 17 payment level as established by the federal government to meet
38 18 the federally mandated maintenance of effort requirement.

38 19 3. Unless otherwise directed in this section, when the
38 20 department's reimbursement methodology for any provider
38 21 reimbursed in accordance with this section includes an
38 22 inflation factor, this factor shall not exceed the amount by
38 23 which the consumer price index for all urban consumers
38 24 increased during the calendar year ending December 31, 2002.

38 25 4. For the fiscal year beginning July 1, 2007, the foster
38 26 family basic daily maintenance rate paid in accordance with
38 27 section 234.38, the maximum adoption subsidy rate, and the
38 28 maximum supervised apartment living foster care rate for
38 29 children ages 0 through 5 years shall be \$15.89, the rate for
38 30 children ages 6 through 11 years shall be \$16.54, the rate for
38 31 children ages 12 through 15 years shall be \$18.16, and the
38 32 rate for children ages 16 and older shall be \$18.37.

38 33 5. For the fiscal year beginning July 1, 2007, the maximum
38 34 reimbursement rates for social service providers shall remain
38 35 at the rates in effect on June 30, 2007, or to the provider's
39 1 actual and allowable cost plus inflation for each service,
39 2 whichever is less. The rates may also be adjusted under any
39 3 of the following circumstances:

39 4 a. If a new service was added after June 30, 2007, the
39 5 initial reimbursement rate for the service shall be based upon
39 6 actual and allowable costs.

39 7 b. If a social service provider loses a source of income
39 8 used to determine the reimbursement rate for the provider, the
39 9 provider's reimbursement rate may be adjusted to reflect the
39 10 loss of income, provided that the lost income was used to
39 11 support actual and allowable costs of a service purchased
39 12 under a purchase of service contract.

39 13 6. The group foster care reimbursement rates paid for
39 14 placement of children out of state shall be calculated
39 15 according to the same rate-setting principles as those used

39 16 for in-state providers unless the director of human services
39 17 or the director's designee determines that appropriate care
39 18 cannot be provided within the state. The payment of the daily
39 19 rate shall be based on the number of days in the calendar
39 20 month in which service is provided.

39 21 7. For the fiscal year beginning July 1, 2007, the
39 22 reimbursement rates for remedial service providers shall
39 23 remain at the rates in effect for June 30, 2007.

39 24 8. a. For the fiscal year beginning July 1, 2007, the
39 25 combined service and maintenance components of the
39 26 reimbursement rate paid for shelter care services purchased
39 27 under a contract shall be based on the financial and
39 28 statistical report submitted to the department. The maximum
39 29 reimbursement rate shall be \$88.79 per day. The department
39 30 shall reimburse a shelter care provider at the provider's
39 31 actual and allowable unit cost, plus inflation, not to exceed
39 32 the maximum reimbursement rate.

39 33 b. Notwithstanding section 232.141, subsection 8, for the
39 34 fiscal year beginning July 1, 2007, the amount of the
39 35 statewide average of the actual and allowable rates for
40 1 reimbursement of juvenile shelter care homes that is utilized
40 2 for the limitation on recovery of unpaid costs shall remain at
40 3 the amount in effect for this purpose in the preceding fiscal
40 4 year.

40 5 9. For the fiscal year beginning July 1, 2007, the
40 6 department shall calculate reimbursement rates for
40 7 intermediate care facilities for persons with mental
40 8 retardation at the 80th percentile.

40 9 10. For the fiscal year beginning July 1, 2007, for child
40 10 care providers reimbursed under the state child care
40 11 assistance program, the department shall maintain the provider
40 12 reimbursement rates that were established for the previous
40 13 fiscal year based on the rate reimbursement survey completed
40 14 in December 2004. The department shall set rates in a manner
40 15 so as to provide incentives for a nonregistered provider to
40 16 become registered.

40 17 11. For the fiscal year beginning July 1, 2007,
40 18 reimbursements for providers reimbursed by the department of
40 19 human services may be modified if appropriated funding is
40 20 allocated for that purpose from the senior living trust fund
40 21 created in section 249H.4, or as specified in appropriations
40 22 from the healthy Iowans tobacco trust created in section
40 23 12.65.

40 24 12. The department may adopt emergency rules to implement
40 25 this section.

40 26 Sec. 31. CHILD SUPPORT COLLECTIONS FEE. The department of
40 27 human services may adopt emergency rules to implement the
40 28 provisions of section 252B.5, subsection 12, as enacted by
40 29 this Act, during the fiscal year beginning July 1, 2007.

40 30 Sec. 32. EMERGENCY RULES. If specifically authorized by a
40 31 provision of this division of this Act, the department of
40 32 human services or the mental health, mental retardation,
40 33 developmental disabilities, and brain injury commission may
40 34 adopt administrative rules under section 17A.4, subsection 2,
40 35 and section 17A.5, subsection 2, paragraph "b", to implement
41 1 the provisions and the rules shall become effective
41 2 immediately upon filing or on a later effective date specified
41 3 in the rules, unless the effective date is delayed by the
41 4 administrative rules review committee. Any rules adopted in
41 5 accordance with this section shall not take effect before the
41 6 rules are reviewed by the administrative rules review
41 7 committee. The delay authority provided to the administrative
41 8 rules review committee under section 17A.4, subsection 5, and
41 9 section 17A.8, subsection 9, shall be applicable to a delay
41 10 imposed under this section, notwithstanding a provision in
41 11 those sections making them inapplicable to section 17A.5,
41 12 subsection 2, paragraph "b". Any rules adopted in accordance
41 13 with the provisions of this section shall also be published as
41 14 notice of intended action as provided in section 17A.4.

41 15 Sec. 33. REPORTS. Any reports or information required to
41 16 be compiled and submitted under this division of this Act
41 17 shall be submitted to the chairpersons and ranking members of
41 18 the joint appropriations subcommittee on health and human
41 19 services, the legislative services agency, and the legislative
41 20 caucus staffs on or before the dates specified for submission
41 21 of the reports or information.

41 22 Sec. 34. Section 234.12A, subsection 1, Code 2007, is
41 23 amended by striking the subsection, and inserting in lieu
41 24 thereof the following:

41 25 1. The department of human services shall maintain an
41 26 electronic benefits transfer program utilizing electronic

41 27 funds transfer systems. A retailer shall not be required to
41 28 make cash disbursements or to provide, purchase, or upgrade
41 29 electronic funds transfer system equipment as a condition of
41 30 participation in the program.

41 31 Sec. 35. Section 239B.7, subsection 2, Code 2007, is
41 32 amended to read as follows:

41 33 2. WORK=AND=EARN INCENTIVE. If an individual's earned
41 34 income is considered by the department, the individual shall
41 35 be allowed a work=and=earn incentive. The incentive shall be
42 1 equal to ~~fifty~~ fifty-eight percent of the amount of earned
42 2 income remaining after all other deductions are applied. The
42 3 department shall disregard the incentive amount when
42 4 considering the earned income available to the individual.
42 5 The incentive shall not have a time limit. The work=and=earn
42 6 incentive shall not be withdrawn as a penalty for failure to
42 7 comply with family investment program requirements.

42 8 Sec. 36. Section 249A.3, subsection 2, Code 2007, is
42 9 amended by adding the following new lettered paragraph:

42 10 NEW PARAGRAPH. 1. Women eligible for family planning
42 11 services under a federally approved demonstration waiver.

42 12 Sec. 37. Section 252B.5, Code 2007, is amended by adding
42 13 the following new subsection:

42 14 NEW SUBSECTION. 12. a. Beginning October 1, 2007,
42 15 implement the provision of the federal Deficit Reduction Act
42 16 of 2005, Pub. L. No. 109-171 } 7310, requiring an annual
42 17 collections fee of twenty=five dollars in child support cases
42 18 in which the family has never received assistance under Title
42 19 IV=A of the federal Social Security Act for whom the unit has
42 20 collected at least five hundred dollars. After the first five
42 21 hundred dollars in support is collected in each year for a
42 22 family, the fee shall be collected from the obligor by
42 23 retaining twenty five dollars from subsequent collections. If
42 24 five hundred dollars but less than five hundred twenty=five
42 25 dollars is collected in any year, any unpaid portion of the
42 26 annual fee shall not accumulate and is not due. Any amount
42 27 retained to pay the twenty=five dollar fee shall not reduce
42 28 the amount of support due under the support order. The unit
42 29 shall send information regarding the requirements of this
42 30 subsection by regular mail to the last known address of an
42 31 affected obligor or obligee, or may include the information
42 32 for an obligee in an application for services signed by the
42 33 obligee. In addition, the unit shall take steps necessary
42 34 regarding the fee to qualify for federal funds in conformity
42 35 with the provisions of Title IV=D of the federal Social
43 1 Security Act, including receiving and accounting for fee
43 2 payments, as appropriate, through the collection services
43 3 center created in section 252B.13A.

43 4 b. Fees collected pursuant to this subsection shall be
43 5 considered repayment receipts as defined in section 8.2, and
43 6 shall be used for the purposes of the unit. The director
43 7 shall maintain an accurate record of the fees collected and
43 8 expended under this subsection.

43 9 Sec. 38. 2006 Iowa Acts, chapter 1184, section 5,
43 10 subsection 2, is amended by adding the following new
43 11 unnumbered paragraph:

43 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and
43 13 section 35D.18, subsection 5, moneys appropriated in this
43 14 subsection that remain unencumbered or unobligated at the
43 15 close of the fiscal year shall not revert but shall remain
43 16 available for expenditure in succeeding fiscal years. Of the
43 17 amount remaining available for expenditure under this
43 18 paragraph, the first \$1,000,000 shall be used for Iowa
43 19 veterans home operations in the immediately succeeding fiscal
43 20 year and the balance shall be transferred to the appropriation
43 21 made in 2006 Iowa Acts, chapter 1179, section 16, subsection
43 22 12, for the fiscal year beginning July 1, 2006, to be used for
43 23 purposes of capital improvements, renovations, or new
43 24 construction at the Iowa veterans home.

43 25 Sec. 39. 2006 Iowa Acts, chapter 1184, section 9, is
43 26 amended by adding the following new subsection:

43 27 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
43 28 appropriated in this section that remain unencumbered or
43 29 unobligated at the close of the fiscal year shall not revert
43 30 but shall remain available for expenditure for the purposes
43 31 designated until the close of the succeeding fiscal year.

43 32 Sec. 40. 2006 Iowa Acts, chapter 1184, section 13, is
43 33 amended by adding the following new subsection:

43 34 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
43 35 \$1,100,000 of the moneys appropriated in this section that
44 1 remain unencumbered or unobligated at the close of the fiscal
44 2 year shall not revert but shall remain available for

44 3 expenditure for the purposes designated until the close of the
44 4 succeeding fiscal year.
44 5 Sec. 41. 2006 Iowa Acts, chapter 1184, section 15, is
44 6 amended by adding the following new subsection:
44 7 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
44 8 appropriated in this section or received from the federal
44 9 appropriations made for the purposes of this section that
44 10 remain unencumbered or unobligated at the close of the fiscal
44 11 year shall not revert to any fund but shall remain available
44 12 for expenditure for the purposes designated until the close of
44 13 the succeeding fiscal year.

44 14 Sec. 42. 2006 Iowa Acts, chapter 1184, section 18, is
44 15 amended by adding the following new subsection:
44 16 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
44 17 \$2,000,000 of the moneys appropriated in this section that
44 18 remain unencumbered or unobligated at the close of the fiscal
44 19 year shall not revert but shall remain available for
44 20 expenditure for the purposes designated until the close of the
44 21 succeeding fiscal year.

44 22 Sec. 43. 2006 Iowa Acts, chapter 1184, section 23, is
44 23 amended by adding the following new subsection:
44 24 NEW SUBSECTION. 7. a. Notwithstanding sections 8.33 and
44 25 222.92, of the revenues available to the state resource
44 26 centers that remain unencumbered or unobligated at the close
44 27 of the fiscal year, the indicated amounts shall not revert but
44 28 shall remain available for expenditure for the purposes
44 29 designated until the close of the succeeding fiscal year:

44 30 (1) For the state resource center at Glenwood, \$1,000,000.

44 31 (2) For the state resource center at Woodward, \$1,000,000.

44 32 b. Of the amounts designated in paragraph "a", the amounts
44 33 above \$500,000 at each resource center shall be used to
44 34 continue the procurement and installation of the electronic
44 35 medical records system initiated in the fiscal year beginning
45 1 July 1, 2005.

45 2 Sec. 44. EFFECTIVE DATES. The following provisions of
45 3 this division of this Act, being deemed of immediate
45 4 importance, take effect upon enactment:

45 5 1. The provision under the appropriation for child and
45 6 family services, relating to requirements of section 232.143
45 7 for representatives of the department of human services and
45 8 juvenile court services to establish a plan for continuing
45 9 group foster care expenditures for the 2007=2008 fiscal year.

45 10 2. The provision amending 2006 Iowa Acts, chapter 1184,
45 11 section 5.

45 12 3. The provision amending 2006 Iowa Acts, chapter 1184,
45 13 section 9.

45 14 4. The provision amending 2006 Iowa Acts, chapter 1184,
45 15 section 13.

45 16 5. The provision amending 2006 Iowa Acts, chapter 1184,
45 17 section 15.

45 18 6. The provision amending 2006 Iowa Acts, chapter 1184,
45 19 section 18.

45 20 7. The provision amending 2006 Iowa Acts, chapter 1184,
45 21 section 23.

45 22 DIVISION II
45 23 SENIOR LIVING TRUST FUND,
45 24 PHARMACEUTICAL SETTLEMENT ACCOUNT,
45 25 IOWACARE ACCOUNT, AND HEALTH CARE
45 26 TRANSFORMATION ACCOUNT

45 27 Sec. 45. DEPARTMENT OF ELDER AFFAIRS. There is
45 28 appropriated from the senior living trust fund created in
45 29 section 249H.4 to the department of elder affairs for the
45 30 fiscal year beginning July 1, 2007, and ending June 30, 2008,
45 31 the following amount, or so much thereof as is necessary, to
45 32 be used for the purpose designated:

45 33 For the development and implementation of a comprehensive
45 34 senior living program, including program administration and
45 35 costs associated with implementation, salaries, support,
46 1 maintenance, and miscellaneous purposes:

46 2 \$ 8,324,044

46 3 1. Of the funds appropriated in this section, \$2,196,967
46 4 shall be used for case management for the frail elderly. Of
46 5 the funds allocated in this subsection, \$1,010,000 shall be
46 6 transferred to the department of human services in equal
46 7 amounts on a quarterly basis for reimbursement of case
46 8 management services provided under the medical assistance
46 9 elderly waiver.

46 10 2. Notwithstanding section 249H.7, the department of elder
46 11 affairs shall distribute up to \$400,000 of the funds
46 12 appropriated in this section in a manner that will supplement
46 13 and maximize federal funds under the federal Older Americans

46 14 Act and shall not use the amount distributed for any
46 15 administrative purposes of either the department of elder
46 16 affairs or the area agencies on aging.

46 17 Sec. 46. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
46 18 appropriated from the senior living trust fund created in
46 19 section 249H.4 to the department of inspections and appeals
46 20 for the fiscal year beginning July 1, 2007, and ending June
46 21 30, 2008, the following amount, or so much thereof as is
46 22 necessary, to be used for the purpose designated:
46 23 For the inspection and certification of assisted living
46 24 facilities and adult day care services, including program
46 25 administration and costs associated with implementation,
46 26 salaries, support, maintenance, and miscellaneous purposes:
46 27 \$ 790,751

46 28 Sec. 47. DEPARTMENT OF HUMAN SERVICES. There is
46 29 appropriated from the senior living trust fund created in
46 30 section 249H.4 to the department of human services for the
46 31 fiscal year beginning July 1, 2007, and ending June 30, 2008,
46 32 the following amounts, or so much thereof as is necessary, to
46 33 be used for the purpose designated:

46 34 1. To supplement the medical assistance appropriation,
46 35 including program administration and costs associated with
47 1 implementation, salaries, support, maintenance, and
47 2 miscellaneous purposes:
47 3 \$ 65,000,000

47 4 2. Notwithstanding sections 249H.4 and 249H.5, the
47 5 department of human services may use moneys from the senior
47 6 living trust fund for cash flow purposes to make payments
47 7 under the nursing facility or hospital upper payment limit
47 8 methodology. The amount of any moneys so used shall be
47 9 refunded to the senior living trust fund within the same
47 10 fiscal year and in a prompt manner.

47 11 In order to carry out the purposes of this section, the
47 12 department may transfer funds appropriated in this section to
47 13 supplement other appropriations made to the department of
47 14 human services.

47 15 Sec. 48. IOWA FINANCE AUTHORITY. There is appropriated
47 16 from the senior living trust fund created in section 249H.4 to
47 17 the Iowa finance authority for the fiscal year beginning July
47 18 1, 2007, and ending June 30, 2008, the following amount, or so
47 19 much thereof as is necessary, to be used for the purposes
47 20 designated:

47 21 To provide reimbursement for rent expenses to eligible
47 22 persons:
47 23 \$ 700,000

47 24 Participation in the rent subsidy program shall be limited
47 25 to only those persons who meet the requirements for the
47 26 nursing facility level of care for home and community-based
47 27 services waiver services as in effect on July 1, 2007.

47 28 Sec. 49. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
47 29 appropriated from the pharmaceutical settlement account
47 30 created in section 249A.33 to the department of human services
47 31 for the fiscal year beginning July 1, 2007, and ending June
47 32 30, 2008, the following amount, or so much thereof as is
47 33 necessary, to be used for the purpose designated:

47 34 To supplement the appropriations made for medical contracts
47 35 under the medical assistance program:
48 1 \$ 379,000

48 2 Sec. 50. APPROPRIATIONS FROM IOWACARE ACCOUNT.

48 3 1. There is appropriated from the IowaCare account created
48 4 in section 249J.24 to the state board of regents for the
48 5 fiscal year beginning July 1, 2007, and ending June 30, 2008,
48 6 the following amount, or so much thereof as is necessary, to
48 7 be used for the purposes designated:

48 8 For distribution to the university of Iowa hospitals and
48 9 clinics for salaries, support, maintenance, equipment, and
48 10 miscellaneous purposes, for the provision of medical and
48 11 surgical treatment of indigent patients, for provision of
48 12 services to members of the expansion population pursuant to
48 13 chapter 249J, and for medical education:
48 14 \$ 27,284,584

48 15 a. The university of Iowa hospitals and clinics shall,
48 16 when medically appropriate, make reasonable efforts to extend
48 17 the university of Iowa hospitals and clinics' use of home
48 18 telemedicine and other technologies to reduce the frequency of
48 19 visits to the hospital required by indigent patients.

48 20 b. The university of Iowa hospitals and clinics shall
48 21 submit quarterly a report regarding the portion of the
48 22 appropriation in this subsection expended on medical
48 23 education. The report shall be submitted in a format jointly
48 24 developed by the university of Iowa hospitals and clinics, the

48 25 legislative services agency, and the department of management,
48 26 and shall delineate the expenditures and purposes of the
48 27 funds.

48 28 c. Funds appropriated in this subsection shall not be used
48 29 to perform abortions except medically necessary abortions, and
48 30 shall not be used to operate the early termination of
48 31 pregnancy clinic except for the performance of medically
48 32 necessary abortions. For the purpose of this subsection, an
48 33 abortion is the purposeful interruption of pregnancy with the
48 34 intention other than to produce a live-born infant or to
48 35 remove a dead fetus, and a medically necessary abortion is one
49 1 performed under one of the following conditions:

49 2 (1) The attending physician certifies that continuing the
49 3 pregnancy would endanger the life of the pregnant woman.

49 4 (2) The attending physician certifies that the fetus is
49 5 physically deformed, mentally deficient, or afflicted with a
49 6 congenital illness.

49 7 (3) The pregnancy is the result of a rape which is
49 8 reported within 45 days of the incident to a law enforcement
49 9 agency or public or private health agency which may include a
49 10 family physician.

49 11 (4) The pregnancy is the result of incest which is
49 12 reported within 150 days of the incident to a law enforcement
49 13 agency or public or private health agency which may include a
49 14 family physician.

49 15 (5) The abortion is a spontaneous abortion, commonly known
49 16 as a miscarriage, wherein not all of the products of
49 17 conception are expelled.

49 18 d. Notwithstanding any provision of law to the contrary,
49 19 the amount appropriated in this subsection shall be allocated
49 20 in twelve equal monthly payments as provided in section
49 21 249J.24.

49 22 2. There is appropriated from the IowaCare account created
49 23 in section 249J.24 to the department of human services for
49 24 reimbursement to the university of Iowa hospitals and clinics
49 25 for the fiscal year beginning July 1, 2007, and ending June
49 26 30, 2008, the following amount, or so much thereof as is
49 27 necessary, to be used for the purposes designated:

49 28 For salaries, support, maintenance, equipment, and
49 29 miscellaneous purposes, for the provision of medical and
49 30 surgical treatment of indigent patients, for provision of
49 31 services to members of the expansion population pursuant to
49 32 chapter 249J, and for medical education:

49 33 \$ 10,000,000

49 34 The amount appropriated in this subsection shall be
49 35 distributed only if federal funds are available to match the
50 1 amount appropriated and expenses are incurred to serve the
50 2 IowaCare expansion population.

50 3 3. There is appropriated from the IowaCare account created
50 4 in section 249J.24 to the department of human services for the
50 5 fiscal year beginning July 1, 2007, and ending June 30, 2008,
50 6 the following amount, or so much thereof as is necessary, to
50 7 be used for the purposes designated:

50 8 For distribution to a publicly owned acute care teaching
50 9 hospital located in a county with a population over three
50 10 hundred fifty thousand for the provision of medical and
50 11 surgical treatment of indigent patients, for provision of
50 12 services to members of the expansion population pursuant to
50 13 chapter 249J, and for medical education:

50 14 \$ 37,000,000

50 15 Notwithstanding any provision of law to the contrary, the
50 16 amount appropriated in this subsection shall be allocated in
50 17 twelve equal monthly payments as provided in section 249J.24.

50 18 4. There is appropriated from the IowaCare account created
50 19 in section 249J.24 to the department of human services for the
50 20 fiscal year beginning July 1, 2007, and ending June 30, 2008,
50 21 the following amounts, or so much thereof as is necessary, to
50 22 be used for the purposes designated:

50 23 a. For the state mental health institute at Cherokee, for
50 24 salaries, support, maintenance, and miscellaneous purposes,
50 25 including services to members of the expansion population
50 26 pursuant to chapter 249J:

50 27 \$ 9,098,425

50 28 b. For the state mental health institute at Clarinda, for
50 29 salaries, support, maintenance, and miscellaneous purposes,
50 30 including services to members of the expansion population
50 31 pursuant to chapter 249J:

50 32 \$ 1,977,305

50 33 c. For the state mental health institute at Independence,
50 34 for salaries, support, maintenance, and miscellaneous
50 35 purposes, including services to members of the expansion

51 1 population pursuant to chapter 249J:
 51 2 \$ 9,045,894
 51 3 d. For the state mental health institute at Mount
 51 4 Pleasant, for salaries, support, maintenance, and
 51 5 miscellaneous purposes, including services to members of the
 51 6 expansion population designation pursuant to chapter 249J:
 51 7 \$ 5,752,587
 51 8 Sec. 51. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
 51 9 TRANSFORMATION. There is appropriated from the account for
 51 10 health care transformation created in section 249J.23, to the
 51 11 department of human services, for the fiscal year beginning
 51 12 July 1, 2007, and ending June 30, 2008, the following amounts,
 51 13 or so much thereof as is necessary, to be used for the
 51 14 purposes designated:
 51 15 1. For the costs of medical examinations and development
 51 16 of personal health improvement plans for the expansion
 51 17 population pursuant to section 249J.6:
 51 18 \$ 556,800
 51 19 2. For the provision of a medical information hotline for
 51 20 the expansion population as provided in section 249J.6:
 51 21 \$ 150,000
 51 22 3. For the insurance cost subsidy program pursuant to
 51 23 section 249J.8:
 51 24 \$ 1,500,000
 51 25 4. For the health care account program option pursuant to
 51 26 section 249J.8:
 51 27 \$ 400,000
 51 28 5. For other health promotion partnership activities
 51 29 pursuant to section 249J.14:
 51 30 \$ 550,000
 51 31 6. For the costs related to audits, performance
 51 32 evaluations, and studies required pursuant to chapter 249J:
 51 33 \$ 100,000
 51 34 7. For administrative costs associated with chapter 249J:
 51 35 \$ 930,352
 52 1 8. For development of a provider incentive payment program
 52 2 to reward performance and quality of service:
 52 3 \$ 400,000
 52 4 Notwithstanding section 8.39, subsection 1, without the
 52 5 prior written consent and approval of the governor and the
 52 6 director of the department of management, the director of
 52 7 human services may transfer funds among the appropriations
 52 8 made in this section, as necessary to carry out the purposes
 52 9 of the account for health care transformation. The department
 52 10 shall report any transfers made pursuant to this section to
 52 11 the legislative services agency.
 52 12 Sec. 52. TRANSFER FROM ACCOUNT FOR HEALTH CARE
 52 13 TRANSFORMATION. There is transferred from the account for
 52 14 health care transformation created pursuant to section
 52 15 249J.23, to the IowaCare account created in section 249J.24, a
 52 16 total of \$4,000,000 for the fiscal year beginning July 1,
 52 17 2007, and ending June 30, 2008.
 52 18 Sec. 53. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
 52 19 LIVING TRUST FUND FOR FY 2007=2008. Notwithstanding section
 52 20 8.33, if moneys appropriated for purposes of the medical
 52 21 assistance program for the fiscal year beginning July 1, 2007,
 52 22 and ending June 30, 2008, from the general fund of the state,
 52 23 the senior living trust fund, and the healthy Iowans tobacco
 52 24 trust fund are in excess of actual expenditures for the
 52 25 medical assistance program and remain unencumbered or
 52 26 unobligated at the close of the fiscal year, the excess moneys
 52 27 shall not revert but shall be transferred to the senior living
 52 28 trust fund created in section 249H.4.
 52 29 Sec. 54. 2006 Iowa Acts, chapter 1184, section 60, is
 52 30 amended by adding the following new subsection:
 52 31 NEW SUBSECTION. 4. There is appropriated from the
 52 32 IowaCare account created in section 249J.24 to the department
 52 33 of human services for reimbursement to the university of Iowa
 52 34 hospitals and clinics for the fiscal year beginning July 1,
 52 35 2006, and ending June 30, 2007, the following amount, or so
 53 1 much thereof as is necessary, to be used for the purposes
 53 2 designated:
 53 3 For salaries, support, maintenance, equipment, and
 53 4 miscellaneous purposes, for the provision of medical and
 53 5 surgical treatment of indigent patients, for provision of
 53 6 services to members of the expansion population pursuant to
 53 7 chapter 249J, and for medical education:
 53 8 \$ 10,000,000
 53 9 The amount appropriated in this subsection shall be
 53 10 distributed only if federal funds are available to match the
 53 11 amount appropriated and expenses are incurred to serve the

53 12 IowaCare expansion population.

53 13 Notwithstanding section 8.33, moneys appropriated in this
53 14 subsection that remain unencumbered or unobligated at the
53 15 close of the fiscal year shall not revert but shall remain
53 16 available for expenditure for the purposes designated until
53 17 the close of the succeeding fiscal year.

53 18 Sec. 55. EFFECTIVE DATES. The provision of this division
53 19 of this Act amending 2006 Iowa Acts, chapter 1184, section 60,
53 20 being deemed of immediate importance, takes effect upon
53 21 enactment.

53 22 DIVISION III
53 23 MH/MR/DD/BI SERVICES
53 24 ALLOWED GROWTH FUNDING ==
53 25 FY 2007=2008

53 26 Sec. 56. 2006 Iowa Acts, chapter 1185, section 1, is
53 27 amended to read as follows:

53 28 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
53 29 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ALLOCATIONS
53 30 == FISCAL YEAR 2007=2008.

53 31 1. There is appropriated from the general fund of the
53 32 state to the department of human services for the fiscal year
53 33 beginning July 1, 2007, and ending June 30, 2008, the
53 34 following amount, or so much thereof as is necessary, to be
53 35 used for the purpose designated:

54 1 For distribution to counties of the county mental health,
54 2 mental retardation, and developmental disabilities allowed
54 3 growth factor adjustment, as provided in this section in lieu
54 4 of the provisions of section 331.438, subsection 2, and
54 5 section 331.439, subsection 3, and chapter 426B:
54 6 \$ ~~43,287,141~~
54 7 46,480,140

54 8 2. The funding appropriated in this section is the allowed
54 9 growth factor adjustment for fiscal year 2007=2008, and is
54 10 allocated as follows:

54 11 a. For distribution to counties for fiscal year 2007=2008
54 12 in accordance with the formula in section 331.438, subsection
54 13 2, paragraph "b":
54 14 \$ 12,000,000

54 15 b. For deposit in the per capita expenditure target pool
54 16 created in the property tax relief fund and for distribution
54 17 in accordance with section 426B.5, subsection 1:
54 18 \$ ~~24,360,548~~
54 19 29,553,547

54 20 c. For deposit in the risk pool created in the property
54 21 tax relief fund and for distribution in accordance with
54 22 section 426B.5, subsection 2:
54 23 \$ ~~2,000,000~~
54 24 0

54 25 d. For ~~expansion of services to persons with transfer to~~
54 26 ~~the department of public health for the brain injury services~~
54 27 ~~program in accordance with the law enacted by the Eighty-first~~
54 28 ~~General Assembly, 2006 Session, as law providing for such~~
54 29 ~~expansion of services to commence in the fiscal year beginning~~
54 30 ~~July 1, 2006 section 135.22B:~~

54 31 \$ 4,926,593

54 32 ~~if 2006 Iowa Acts, House File 2772, is enacted by the~~
54 33 ~~Eighty-first General Assembly, 2006 Session, the allocation~~
54 34 ~~made in this lettered paragraph shall be transferred to the~~
54 35 ~~Iowa department of public health to be used for the brain~~
55 1 ~~injury services program created pursuant to that Act.~~

55 2 Sec. 57. 2006 Iowa Acts, chapter 1185, section 1, is
55 3 amended by adding the following new subsections:

55 4 NEW SUBSECTION. 3. The following formula amounts shall be
55 5 utilized only to calculate preliminary distribution amounts
55 6 for fiscal year 2007=2008 under this section by applying the
55 7 indicated formula provisions to the formula amounts and
55 8 producing a preliminary distribution total for each county:

55 9 a. For calculation of an allowed growth factor adjustment
55 10 amount for each county in accordance with the formula in
55 11 section 331.438, subsection 2, paragraph "b":
55 12 \$ 12,000,000

55 13 b. For calculation of a distribution amount for eligible
55 14 counties from the per capita expenditure target pool created
55 15 in the property tax relief fund in accordance with the
55 16 requirements in section 426B.5, subsection 1:
55 17 \$ 32,025,124

55 18 c. For calculation of a distribution amount for counties
55 19 from the mental health and developmental disabilities (MH/DD)
55 20 community services fund in accordance with the formula
55 21 provided in the appropriation made for the MH/DD community
55 22 services fund for the fiscal year beginning July 1, 2006:

55 23 \$ 17,727,890
55 24 NEW SUBSECTION. 4. After applying the applicable
55 25 statutory distribution formulas to the amounts indicated in
55 26 subsection 3 for purposes of producing preliminary
55 27 distribution totals, the department of human services shall
55 28 apply a withholding factor to adjust an eligible individual
55 29 county's preliminary distribution total. An ending balance
55 30 percentage for each county shall be determined by expressing
55 31 the county's ending balance on a modified accrual basis under
55 32 generally accepted accounting principles for the fiscal year
55 33 beginning July 1, 2006, in the county's mental health, mental
55 34 retardation, and developmental disabilities services fund
55 35 created under section 331.424A, as a percentage of the
56 1 county's gross expenditures from that fund for that fiscal
56 2 year. If a county borrowed moneys for purposes of providing
56 3 services from the county's services fund on or before July 1,
56 4 2006, and the county's services fund ending balance for that
56 5 fiscal year includes the loan proceeds or an amount designated
56 6 in the county budget to service the loan for the borrowed
56 7 moneys, those amounts shall not be considered to be part of
56 8 the county's ending balance for purposes of calculating an
56 9 ending balance percentage under this subsection. The
56 10 withholding factor for a county shall be the following
56 11 applicable percent:
56 12 a. For an ending balance percentage of less than 5
56 13 percent, a withholding factor of 0 percent. In addition, a
56 14 county that is subject to this lettered paragraph shall
56 15 receive an inflation adjustment equal to 3 percent of the
56 16 gross expenditures reported for the county's services fund for
56 17 the fiscal year.
56 18 b. For an ending balance percentage of 5 or more but less
56 19 than 10 percent, a withholding factor of 0 percent. In
56 20 addition, a county that is subject to this lettered paragraph
56 21 shall receive an inflation adjustment equal to 2 percent of
56 22 the gross expenditures reported for the county's services fund
56 23 for the fiscal year.
56 24 c. For an ending balance percentage of 10 or more but less
56 25 than 25 percent, a withholding factor of 25 percent. However,
56 26 the amount withheld shall be limited to the amount by which
56 27 the county's ending balance was in excess of the ending
56 28 balance percentage of 10 percent.
56 29 d. For an ending balance percentage of 25 percent or more,
56 30 a withholding percentage of 100 percent.
56 31 NEW SUBSECTION. 5. The total withholding amounts applied
56 32 pursuant to subsection 4 shall be equal to a withholding
56 33 target amount of \$2,471,577. If the department of human
56 34 services determines that the amount to be withheld in
56 35 accordance with subsection 4 is not equal to the target
57 1 withholding amount, the department shall adjust the
57 2 withholding factors listed in subsection 4 as necessary to
57 3 achieve the withholding target amount. However, in making
57 4 such adjustments to the withholding factors, the department
57 5 shall strive to minimize changes to the withholding factors
57 6 for those ending balance percentage ranges that are lower than
57 7 others and shall not adjust the zero withholding factor or the
57 8 inflation adjustment percentage specified in subsection 4,
57 9 paragraph "a".
57 10
57 11 DIVISION IV
57 12 MH/MR/DD/BI SERVICES ALLOWED
57 13 GROWTH FUNDING == FY 2008=2009
57 14 Sec. 58. COUNTY MENTAL HEALTH, MENTAL RETARDATION,
57 15 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH
57 16 APPROPRIATION AND ALLOCATIONS == FISCAL YEAR 2008=2009.
57 17 1. There is appropriated from the general fund of the
57 18 state to the department of human services for the fiscal year
57 19 beginning July 1, 2008, and ending June 30, 2009, the
57 20 following amount, or so much thereof as is necessary, to be
57 21 used for the purpose designated:
57 22 For distribution to counties of the county mental health,
57 23 mental retardation, and developmental disabilities allowed
57 24 growth factor adjustment, as provided in this section in lieu
57 25 of the provisions of section 331.438, subsection 2, and
57 26 section 331.439, subsection 3, and chapter 426B:
57 27 \$ 54,300,002
57 28 2. The funding appropriated in this section is the allowed
57 29 growth factor adjustment for fiscal year 2008=2009, and is
57 30 allocated as follows:
57 31 a. For distribution to counties for fiscal year 2008=2009
57 32 in accordance with the formula in section 331.438, subsection
57 33 2, paragraph "b":
57 \$ 12,000,000

57 34 b. For deposit in the per capita expenditure target pool
57 35 created in the property tax relief fund and for distribution
58 1 in accordance with section 426B.5, subsection 1:
58 2 \$ 32,766,789
58 3 c. For deposit in the risk pool created in the property
58 4 tax relief fund and for distribution in accordance with
58 5 section 426B.5, subsection 2:
58 6 \$ 2,000,000
58 7 d. For transfer to the department of public health for the
58 8 brain injury services program in accordance with section
58 9 135.22B:
58 10 \$ 7,533,213

58 11 EXPLANATION

58 12 This bill relates to and makes appropriations for health
58 13 and human services for FY 2007=2008 to the department of
58 14 veterans affairs, the Iowa veterans home, the department of
58 15 elder affairs, the department of public health, Iowa finance
58 16 authority, state board of regents, department of inspections
58 17 and appeals, and the department of human services.

58 18 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS. This division
58 19 appropriates funding from the general fund of the state for
58 20 the department of elder affairs, the department of public
58 21 health, and the department of veterans affairs.

58 22 The division appropriates funds from the gambling treatment
58 23 fund in lieu of the standing appropriation in Code section
58 24 135.150 for addictive disorders and provides for use of the
58 25 funds remaining in the fund.

58 26 The division appropriates funding from the general fund of
58 27 the state and the federal temporary assistance for needy
58 28 families block grant to the department of human services.

58 29 The bill also amends section 234.12A relating to the
58 30 electronic benefits transfer program to eliminate
58 31 reimbursement to a retailer for providing electronic funds
58 32 transfer system equipment for transactions pursuant to the
58 33 program and for cash disbursement transactions made by the
58 34 retailer under the program.

58 35 Code section 239B.7 is amended to increase the amount of
59 1 the FIP work-and-earn incentive applied as part of FIP
59 2 eligibility determination from 50 to 58 percent. Under the
59 3 incentive, the indicated percentage of earned income remaining
59 4 after other deductions have been applied is disregarded.

59 5 The bill amends Code section 249A.3 to add to the listing
59 6 of individuals eligible for discretionary medical assistance
59 7 (Medicaid) women eligible for family planning services under a
59 8 federally approved demonstration waiver.

59 9 Code section 252B.5, relating to services of the child
59 10 support recovery unit of the department of human services, is
59 11 amended to authorize the charging of a new \$25 fee. The fee
59 12 is considered to be a repayment receipt and is appropriated to
59 13 the department for the child support recovery unit. A
59 14 separate section authorizes the department to adopt emergency
59 15 rules to implement the provision during FY 2007=2008.

59 16 SENIOR LIVING TRUST FUND, PHARMACEUTICAL SETTLEMENT
59 17 ACCOUNT, IOWACARE ACCOUNT, AND HEALTH CARE TRANSFORMATION
59 18 ACCOUNT. This division makes appropriations for FY 2007=2008
59 19 from the senior living trust fund to the department of elder
59 20 affairs, the department of human services, the department of
59 21 inspections and appeals, and the Iowa finance authority.

59 22 All or a portion of the appropriations made to the Iowa
59 23 veterans home and to the department of human services for FY
59 24 2006=2007 that remain unexpended at the close of the fiscal
59 25 year are carried forward to the succeeding fiscal year. The
59 26 following appropriations are addressed involving the
59 27 department of human services: medical assistance (Medicaid)
59 28 program, state supplementary assistance, child care
59 29 assistance, adoption subsidy, and the state resource centers.
59 30 These provisions take effect upon enactment.

59 31 The division makes an appropriation from the pharmaceutical
59 32 settlement account to the department of human services to
59 33 supplement the medical contracts appropriation.

59 34 The division makes appropriations to the state board of
60 35 regents for distribution to the university of Iowa hospitals
60 1 and clinics, and to the department of human services for
60 2 distribution to a publicly owned acute care teaching hospital
60 3 in a county with a population over 350,000, and to the state
60 4 mental health institutes for purposes related to the IowaCare
60 5 program and indigent care. The division also makes an
60 6 appropriation to the department of human services from the
60 7 health care transformation account for various health care
60 8 reform initiatives.

60 9 The bill includes a supplemental appropriation for FY

60 10 2006=2007 from the IowaCare account for the university of Iowa
60 11 hospitals and clinics.
60 12 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY
60 13 2007=2008. This division relates to mental health, mental
60 14 retardation, developmental disabilities, and brain injury
60 15 (MH/MR/DD/BI) services allowed growth funding payments for FY
60 16 2007=2008.
60 17 The division provides for distribution of the services
60 18 funding previously appropriated for FY 2007=2008, increases
60 19 the amount of the appropriation, and shifts an allocation from
60 20 the risk pool to the per capita expenditure target pool.
60 21 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY
60 22 2008=2009. This division appropriates funding for the FY
60 23 2008=2009 MH/MR/DD/BI services allowed growth funding payments
60 24 to counties and for the brain injury services program in the
60 25 department of public health.
60 26 LSB 1117XG 82
60 27 pf:jp/gg/14.3